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The West Virginia Historical Magazine Quarterly.

CHARLESTON, W. VA.

Published by the West Virginia Historical and Antiquarian Society.

J. P. HALE, Editor, President of the Society.

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THE TRIBUNE CO.

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The West Virginia Historical and Antiquarian Society.

This society, with a view to more effectually carry out the objects and purposes of its organization, has decided to publish a Historical Magazine, to be called "The West Virginia Historical Magazine, Quarterly."

The Society solicits, for this magazine, contributions from time to time, from its members, from citizens of the State and from others who may have the will, of trustworthy accounts concisely written, of past and current events, local, State and general, of historical interest pertaining to the State.

There are still floating in the memory of the people, but never in print, many interesting traditions of early historical events relating to early frontier explorations and settlements, border Indian wars, the part taken by Western Virginia, now West Virginia, in the wars of the revolution and of 1812, the Mexican and Civil wars, and the Spanish, Philippine and Chinese wars. Selections from these, well attested, we desire to gather up and preserve, before they are forever lost; and so with interesting facts relating to the growth and development of the State, settlements of neighborhoods, growth of towns, public improvements, manufacturing and enterprises. A record of such events, seemingly unimportant now, while occurring under our eyes, will have great interest and value in the future.

It is the purpose of the Historical Magazine to gather and record selections from such facts, and also short biographical sketches of persons who have taken a prominent and useful part in the affairs of the State.

Members and friends of the Historical Society and the public are invited to subscribe to the Magazine.

Price, per annum, $1.00; single copies, 25 cents.

Our Historical Society, when organized, started a museum, on a small scale, with a basketful of Indian and Mound Builders' relics, and a few other curios. Now, our collection has increased

to many thousands of specimens of great variety and many of unusual interest. It is largely visited by the public, with interest and pleasure. We have also, on exhibition, specimens of the coals, timber, and other products of the State, which are of interest and value to outsiders coming to investigate such products, so largely abounding in our State.

Our library was begun but a few years ago, by the donation of a few books, pamphlets, etc., by members of the Society. It has now, with the aid of the State, increased to about six thousand volumes of books, several thousand pamphlets, maps, papers, autographs of distinguished people, pictures, etc.

We keep, on our reading tables, most of the prominent newspapers of the State, which are kindly sent us gratuitously by the publishers; these are kept to be bound in volumes for permanent preservation, and will make a valuable record of the current history of the State.

We subscribe for twelve or fifteen of the leading popular magazines for the entertainment of our visitors. These, too, we bind and preserve.

Our library contains a large proportion of Government books, Acts of Congress, departmental, Smithsonian, Geological, and other reports, besides a valuable collection of miscellaneous books on history and general subjects; altogether, it is now, a very valuable library of reference, and is being largely used as such.

We have published a few pamphlets and sent them out to other Historical Societies and libraries, and have received many valuable publications in exchange. We propose, in like manner, to send our Historical Magazine to other Societies and libraries, and hope to receive valuable exchanges.

Although occupying the largest room in the Capitol building, we are very much cramped for room, at present; but we shall soon be in our new quarters in the elegant Capitol Annex building, now being erected, and in which the State has assigned us one entire floor of about ten thousand square feet of floor space, where we can arrange what we have to much better advantage, and have room for expansion.

The Historical Society has transferred to the State all its right, title and interest in and to its library, museum and whatever else it has. With the full title and ownership of the Society collection in the State, we trust it will be the pleasure of the present and future Legislatures to grant the Society such liberal encouragement and support as it deserves and needs to continue, increase and perpetuate it as one of the valuable and permanent educational institutions of the State.

We bespeak the good offices of the press of the State in calling the attention of the public, from time to time, to the aims and efforts of the Society in behalf of the interests of the State, and aid in get-

ting from every part of the State interesting historical sketches for our Historical Magazine, thus encouraging a knowledge of and interest in the objects of the Society, and fostering a loyal patriotism and love for the State.

To the citizens of every county and part of the State, we appeal for contributions of all sorts of articles suitable as exhibits in our museum.

We want fine specimens of the woods and coals of the State, mineral ores, fire and brick clays, marbles, building stones, manufactured products, old books, maps, manuscripts, autographs, aboriginal relics, coins, curios, medals, pictures, etc. Such an aggregation of individual contributions will greatly enhance the interest and value of our museum, not only to our own citizens, but to the thousands of those beyond our borders who come to the Capital of our State and visit our rooms.

Persons or families who have valuable relics, curios, or heirlooms which they are not willing to donate to the Society, are solicited to loan us such articles for exhibition; they will be safely preserved under glass and lock and key in a fire-proof building, safe from the numerous accidents, by fire and otherwise, which befall private residences.

The Society issues receipts for such loaned articles with a clause allowing the owners to reclaim them at their pleasure.

We solicit those in sympathy with the objects of this Society, to become members, and co-operate with us in the work in hand. The initiation fee is $3,00, no after charges.

J. P. HALE,
President.

A SKETCH, DESCRIPTIVE AND HISTORICAL, OF CHARLESTON, THE CAPITAL OF WEST VIRGINIA.

BY J. P. HALE.

Charleston is the commercial, legal, political, religious, financial, social and residential center of this portion of our State, and the mercantile and general distributing point for some fourteen or more tributary counties, as well as the radiating point of travel to and from all this portion of the State.

This beautiful and thriving little city is located on the north bank of the Great Kanawha river and on both sides of Elk river,

at their confluence, fifty-eight miles from the Ohio river at Point Pleasant.

The site of the city is a large level plain or alluvial bottom, with abundant room for growth and extension into quite a large city, which from its exceptionally advantageous location and favorable conditions and surroundings, it seems destined soon to become.

At present the public buildings and institutions of the city are as follows: The State Capitol and Annex, the Government Post-office building, including the Federal Court-room and other Federal offices, the County Court-house and other county buildings, the City Hall, the Public School-houses, an elegant Opera-house, two large fine Hotels, and several others of less pretentions, ten Churches, an elegant Masonic Temple, and some other society halls, a City Hospital, five Newspapers, three Book Printing and Binding establishments, two Express Companies, a Telegraph Office, a Telephone Exchange, several brick yards, four Banks, Private Schools for Youths and Young Ladies, (Catholic and Protestant,) the Public Schools for white and colored children, Gas Works, Eletcric Light Works, Water Works, Ice Factory, Woolen Factory, Furniture Factory, two Flour Mills, several Saw Mills, two Wagon Factories, one Handle Factory, two Foundries, one Engine Building and General Machine works, two Boiler Works, a Race Track, Base Ball Ground, a City Wharf Boat, etc.

The legal, medical and theological professions are largely and ably represented and politicians of every grade, abound. The two prominent political parties are about evenly divided.

Most of our business houses and private residences are of modern architecture and elegant and substantial finish, while those of more modest pretensions are characterized by neatness and taste.

There is a profusion of shade trees in the city, which, together with the shrubs and flowers of the residential lawns give picturesque beauty to the place.

The principal streets are paved with hard brick, which is smooth, sightly, almost noiseless, cheap, durable and generally satisfactory. This pavement is being extended from year to year, as the city finances admit of it.

We have an electric street railway plant, and communication over three bridges across Elk, and one fine steel bridge and two local ferries across Kanawha.

There are eight steam packet boats running to and from Charleston, three in the upper river, above Charleston, one to Winfield, two to Gallipolis, one to Cincinnati, and two to Pittsburg.

There are about fifteen tow-boats with their several fleets of barges, transporting coal, coke, lumber, salt, tan bark, staves, railroad ties, etc., from this valley to the Western markets.

The Chesapeake & Ohio and the Kanawha & Michigan railways each run three passenger trains, east and west daily, and the C. C. & S. two trains.

Charleston is situated on the line of 38½ degrees North latitude, which is very nearly on the line of Jeddo, Japan, San Francisco and Sacramento, Cal., St. Louis, Mo., Louisville and Lexington, Ky., between Washington City and Richmond, Va., between Lisbon, Portugal and Madrid, Spain, and on a line with Athens, Greece. This is the most delightful and healthful belt on the globe.

We enjoy here a comparatively mild, temperate climate, free alike from the extremes of cold and heat that prevail to the North and South of us, free from the protracted cold of the Northern winters, the depressings heats and dangerous epidemics of the Southern summers, and from the destructive tornadoes, blizzards, and cyclones of the West and Northwest. Our mean annual temperature is about 53 degrees Fahrenheit, and our mean annual rainfall is 40 inches.

Located in this favored zone and delightful climate, 600 feet above tide water, surrounded in the immediate neighborhood by hills rising 300 to 500 feet higher, and farther up the river, and up the side streams to 1,200 or 1,500 feet greater elevation, giving the whole region perfect drainage leaving no malarial bogs, marshes or morasses. With pure mountain air and pure soft water, there is probably no portion of Uncle Sam's dominions offering better opportunities and facilities for personal comfort, health and longevity than Charleston and the Kanawha Valley.

Geographically, Charleston is nearer the center of the State than any other city within her borders, and the general topography of the country is such that no more centrally located city can ever be built up outside of the Kanawha Valley. Charleston, within its special territory has no rival and can have no competitor.

Charleston is about half way between the Ohio river and the foot of the Alleghenies; say about 50 miles from each, as the crow flies; it is about half way between the Big Sandy and the Little Kanawha rivers, say 50 miles from each; it is nearly equi-distant and about 140 miles from Columbus, Staunton and Lynchburg; nearly equi-distant and about 175 miles from Pittsburg, Cincinnati, and Danville, Va.; nearly equi-distant and about 260 miles from Toledo, Indianapolis, and Washington City; nearly equi-distant and about 350 miles from Philadelphia, Atlanta, and Nashville; nearly equi-distant and about 450 miles from New York, Chicago, Springfield, Ill., Birmingham, Ala., Savannah, Ga., and Charleston, S. C.

An inspection of the map shows a remarkable general centrality of Charleston and the Kanawha Valley. We are almost exactly in the geographical center of that great and rich portion of

our country lying between the Atlantic and the Mississippi, the center of the homes of 25,000,000 to 30,000,000 of one of the most advanced, and the most progressive people on the globe.

A radial line drawn around Charleston at 450 miles includes almost every city of importance east of the Mississippi except the New England cities in the extreme Northeast, and, say Mobile and New Orleans in the extreme South; and yet these somewhat remote cities occupying the extreme north and south are cheaply accessible to Kanawha products. The New England States by rail to tide water and thence by sea, and New Orleans by cheap water carriage down the Kanawha, Ohio, and Mississippi rivers.

If air line railroads were practicable we would be within 10 hours travel, by fast trains, of every city within the 450 miles radius; and even as it is, we are within twenty-four hours' travel of all, or nearly all, of these many cities, and these many millions of people, say nearly half the entire population of the United States.

The morning papers of New York and other cities reach us the following morning. Cincinnati, Louisville, and other morning papers reach us the same evening, and the Washington, Cincinnati and Richmond evening papers reach us the following morning. Travel between Charleston and these cities is, of course, accomplished within corresponding time.

Within an inner circle described by a radius of 150 miles around Charleston as a center, is an "embarrassment of riches," which in variety, extent and value are hardly equalled in any other locality of equal area on the continent. To enumerate: we have the Great Kanawha coal fields, the immense water power of the Kanawha and New Rivers, vast forests of timber, the great iron deposits of the Alleghenies and others, the prolific manganese mines of the Valley of Virginia, the rich tin and zinc lodes of Southwest Virginia, the historic lead mines of upper New river, the gold and copper belt of south West Virginia, the salt brines of Virginia, West Virginia and Ohio, the vast plaster beds of south West Virginia, the petroleum fields of West Virginia and Ohio, the natural gas fields of West Virginia and Ohio, the great abundance of brick and tile clays, pottery clays, fire clays, building stones, etc., the rich alluvial bottom lands of Ohio and Kanawha rivers, the fine blue grass grazing lands and rich agricultural lands of West Virginia, Virginia, Kentucky and Ohio.

In wildness and grandeur the natural scenery of the New River canyon is probably not surpassed by anything this side of the Rocky Mountains, while for picturesque beauty the Kanawha Valley is hardly equalled. The elevation of this charmed circle—this veritable "treasure island,"—varies from 500 to 4,000 feet above sea level; the mountains affording delightful summer resorts for health and pleasure, while the medicinal mineral springs in number, value and variety, are probably not equaled in any equal area in

America. All these treasures and blessings we have within this charmed circle of 150 miles radius around our highly favored and beautiful little Capital City, and with them we have inland water navigation connecting us with eighteen of the forty-five States of the Union, the railway connection from the Atlantic to the Pacific, and from the lakes to the gulf.

With all these enumerated advantages, riches and blessings, we have that which is more inestimably valuable than all—superior health.

With pure air, pure water, and generally favorable climatic and higienic conditions, our opportunities for health, happiness, and personal comfort are among the very best; our average annual death rate is among the very lowest, and our longevity record among the very highest.

Cities, like individuals and families as they advance in age, and develop in wealth and importance, feel more and more inclined to look back to the "beginnings of things," and trace their origin, growth and progress; to meet this want, I have gathered together many facts, incidents and dates relating to the settlement and subsequent history and progress of Charleston, which, though unimportant singly, may, in the aggregate, be worth recording and preserving.

PRIMITIVE CHARLESTON.

Probably the first white persons ever on the site where Charleston now stands, were Mrs. Mary Ingles and Mrs. Bettie Draper, prisoners among the Indians in 1755.

In July of that year the Shawnees made a raid on the border settlements of Virginia, and, having captured and destroyed the Ingles-Draper settlement at Draper Meadows, on upper New river (the first family settlement west of the Alleghenies), now in Montgomery county, Virginia, and murdered most of the settlers, took these women prisoners to their homes on the Scioto.

In 1764, Mathew Arbuckle, an enterprising frontiersman of the Greenbrier settlement, passed down this valley to the mouth of Kanawha river and returned; he was probably the first white man on the site of Charleston.

In 1771, the renowned pioneer, Simon Kenton, with two companions—Yeager and Strader—came down the Ohio, up the Kanawha over the site of Charleston, and made an encampment at the mouth of Two Mile creek of Elk river, where they hunted and trapped until the spring of 1773, when they were attacked by Indians. Strader was killed and Kenton and Yeager both wounded, but succeeded in making their way to a French trading post at

the mouth of the Kanawha river, where they were taken care of.

In 1773 Col. Thomas Bullitt, for his military service in the Braddock and other wars of the northwest, came to this valley to locate lands, and "took up" the tract of bottom lands where Charleston now stands.

In 1774, Gen. Andrew Lewis, with his army, passed over the future site of Charleston, on his way to the ever memorable battle of Point Pleasant.

In 1787, Judge Cuthbert Bullitt, who had acquired this land from his brother, Col. Thomas Bullitt, sold it to George Clendenin, and on the 1st of May, (May day) 1788, a little band of colonists consisting of George Clendenin, his brothers William, Robert and Alexander, their father, Charles Clendenin, Josiah Harrison, Francis Watkins, Shadrick Harriman, Charles McClung, John Edwards, Lewis Tackett, and perhaps a few others, felled the first trees and commenced to build the first house on the bottom where Charleston now stands. This was a hewed log house of two stories and four rooms, covered with rived clap-boards. It stood at the northeast corner of (now) Kanawha and Brooks streets. This was the mansion of George Clendenin, the leader of the colony and founder of the settlement which has become the city of Charleston. Just in front of this house, where Kanawha street now is, an upright picket fort was built. Both the house, which was bullet proof, and this picket-fort were used for the protection and safety of the colonists, until the end of the Indian troubles.

Following the erection of the Clendenin house, six others were at once built to accommodate the other members of the colony, and were located as follows: One at the northeast corner of Kanawha and Truslow streets; one at the northeast corner of Kanawha and Court streets; one at the northwest corner of Kanawha and Alderson streets; one at the northeast corner of Kanawha and Summers streets; one at the northwest corner of Kanawha and Capitol streets, and one at the northeast corner of Kanawha and Hale streets.

During the summer of 1788, George Clendenin had forty acres laid off as a town site, divided into forty lots of one acre each, and extending from Elk river up to (now) Capitol street. The survey was made by Mr. Alexander Welch, surveyor of the county. (It was then Greenbrier county.) There were two streets laid off parallel to the river, and called Front and Main, now Kanawha and Virginia. The right angled streets were numbered, not named.

For several years the town had no distinctive name; it was called, indiscriminately, Clendenin's Settlement, or the town at the mouth of Elk.

In 1789 Kanawha county was organized, with about 10,000 square miles of territory; and this settlement, with its seven log houses and about thirty inhabitants, was made the Capital and seat

of government of this vast territory. The Clendenin mansion was used for a fort, for his private residence, for the entertainment of travelers, for a court-house, clerk's office and voting precinct.

The year that Kanawha county was established (1789), was an eventful one. In this year the first United States Congress met, the United States Constitution became operative, and George Washington took his seat as first President of the United States.

At the first election held here this was the only voting precinct in the county; the polls were kept open three days, and the total number of votes cast was 13. The county being entitled to two members of the Legislature, George Clendenin, the founder of the town, and Andrew Donnally, the hero of Donnally's Fort were elected by overwhelming majorities (?). At the next election in 1791, George Clendenin and Daniel Boone, the grand old pioneer, were elected.

There being no railroads, stage coaches or other vehicular modes of travel in those days, Boone footed it to Richmond, the seat of government, with his rifle on his shoulder and his butcher knife in his belt; but the uncomfortable restrictions of city life and uncongenial occupation of law making soon disgusted him, and he returned as he went.

The first jail erected here was a log cabin 12 by 12 by 7 feet on the bank near the Clendenin residence.

In 1796, the first court-house and clerk's office were erected on the present court-house lot. It was a one-story log house 40 by 30 feet. This lot was acquired from George Alderson for about $100 in settlement of an unpaid balance due the county from said Alderson.

In 1817 this building gave place to the brick court-house, which was recently demolished to make room for the new and elegant stone structure completed in 1894.

In 1817 a small stone clerk's office was erected on the site of the present Hotel Ruffner.

In front of the court-house lot there stood a public market house, which remained until 1845.

At the southeast corner of the court-house stood a whipping post and pillory, which disappeared about 1850.

In the early history of the settlement money currency was very scarce, and tobacco became a legal tender. Property was bought and sold for tobacco, taxes were collected in tobacco, the courts gave judgment for debts payable in tobacco, and tobacco was a general medium of exchange for commodities.

To guard and conserve the morals of the community, the court fined persons for swearing on the streets, and fined sportsmen for "going hunting on Sunday."

In 1794, December the 19th, the Legislature of Virginia "enacted that 40 acres of land, the property of George Clendenin, at

the mouth of Elk river, in the county of Kanawha, as the same are already laid off into lots and streets, shall be established as a town, by the name of Charlestown; and Reuben Slaughter, Andrew Donnally, Sr., William Clendenin, John Morris, Sr., Leonard Morris, George Alderson, Abraham Baker, John Young, and William Morris, gentlemen, are appointed trustees."

The town was named after Charles Clendenin, the father of George, the founder; and Kanawha county, when formed, was called and spelled Kenhawa.

It is a curious fact that the spelling of Kenhawa and Charlestown as originally named and established should without legislative action, or municipal or public action, become gradually changed and finally chrystalized into the present spelling and pronunciation of Kanawha and Charleston.

At the first court for Kanawha county, held at the Clendenin Fort, October 6th, 1789, the following "Gentlemen Justices" were severally sworn and qualified as members of the court: Thomas Lewis, Robert Clendenin, Frances Watkins, Charles McClung, Benjamin Strother, William Clendenin, David Robinson, George Alderson, Leonard Morris and James VanBibber.

Thomas Lewis was commissioned as sheriff and appointed John Lewis his deputy. William H. Cavendish was appointed clerk and Frances Watkins his deputy. Reuben Slaughter, county surveyor; David Robinson and John VanBibber were appointed commissioners of revenue, and William Drawdy and William Boggs, coroners.

In the militia organization of the county, George Clendenin was county lientenant; Thomas Lewis, colonel; Daniel Boone, lieutenant-colonel; William Clendenin, major; Leonard Cooper and John Morris, captains; James VanBibber and John Young, lieutenants; William Owens and Alexander Clendenin, ensigns.

On the first of April, 1801, the first post-office was established in Charleston, located at the corner of Kanawha and Hale streets. Its official name was "Kanawha Court House." The first postmaster was Edward Graham. The only mail for ten years or more, was a fortnightly horse-back mail from the east, via Lewisburg.

Excepting a little corn cracker established by the Ruffners at the mouth of Campbell's creek, in 1803, the first grist mill of the neighborhood was erected by Thomas Alsbury at the falls of Coal river, using water power; and to this the citizens of Charleston sent their grists of wheat and corn.

No flour or meal was kept on sale here in those days.

The first sawed lumber used here was whip sawed by hand; the first saw mills, the old up and down saws, were erected on Two Mile creek of Elk, from 1815 to 1820 and run by water power.

The first sermon ever preached here was by Rev. William Steele, a Methodist minister, on January 1st, 1804, at the house of

Mr. William Williams, at the corner of Kanawha and Hale streets. Rev. Asa Shinn was the first minister appointed to this circuit a few months later.

The Rev. Henry B. Bascom—the afterwards distinguished and eloquent Bishop Bascom—preached here for some time in 1813. Rev. Henry Ruffner was the first Presbyterian preacher here, about 1816, and was the father of Presbyterianism in this valley. He organized the First Presbyterian congregation in Mercer Academy in March, 1819.

The first Episcopal minister here was Rev. Joseph Willard, in 1816, followed by Rev. Charles Page, in 1821. Their first church was built on Virginia street in 1834.

The first Catholic congregation and St. Mary's Academy were organized in 1866 by Rev. Joseph W. Stenger; the church building was completed in 1869, and the convent in 1872. The new elegant stone church was completed in 1900.

The first Baptist church was organized by Rev. P. H. Murry, in 1869, and a church built on Donnally street.

The first Jewish congregation was organized in 1873. Rabbi Schedd being their first teacher, followed by Rabbi Strauss. Their synagogue was built on State street in 1876, and a more elegant one on Virginia street in 1894.

The Colored Methodists erected a church on Quarrier street in 1868. The Rev. Charles Fisher was their first minister.

The colored Baptists built a church on Washington street in 1872 with Rev. Frank James as their first pastor.

The first colored free school was established in 1867. Miss Lucy James being their first teacher.

The first attorney admitted to practice in the courts was Mr. Edward Graham, August 1st, 1796. He was appointed commonwealth attorney at a salary of $40 a year.

The first resident physician was Dr. Eoff, in 1811; followed by Dr. N. W. Thompson.

The first taverns, or inns, were Buster's, at the northeast corner of Kanawha and Court streets, and Griffin's, at the northeast corner of Kanawha and Summers streets. The prices charged for food, lodging and drinks were regulated by law.

Breakfast, dinner and supper, each 25c.

Lodging, per night, 12½c.

Horse at hay, per night, 25c.

Horse at pasture, per night, 12½c.

Jamaica spirits, Cogniac brandy, and Mederia wine, per gal., 60c.

Whisky and Peach brandy, per gal., 200c.

Cherry bounce and country gin, per gallon, 300c.

Beer and cider, per gal., 50c.

Clearly they were not prohibitionists.

The first blacksmith here was John Greenlee, followed in 1804 by Jack Neal, colored, who had a very eventful history.

Among school teachers, Herbert P. Gaines, was the first, with Levi Welch a good second, followed by Jacob Rand, James A. Lewis, Lewis Ruffner, Ezra Walker, etc.

Mercer Academy was built in 1818. The first drug store was established by Dr. Henry Rogers in 1825.

The first newspapers established here, were: the "Kanawha Patriot," by Herbert P. Gaines, in 1819, the "Western Courrier," by Mason Campbell in 1820, and the "Western Register," by Messrs. A. T. and J. M. Lindley in 1829.

The first bank established here was a branch of the Bank of Virginia, in 1832. J. C. McFarland, president; Samuel Hannah, cashier; and John M. Doddridge, teller.

The first ferry franchise was granted to George Clendenin by the Legislature in December, 1794, to run from the point of junction of Kanawha and Elk rivers across both rivers.

In 1809, John and Langston Ward started a ferry across the Kanawha at the mouth of Ferry Branch, but it was not legally established until 1812.

In 1820, Captain James Wilson and Mr. Alexander Quarrier each established a ferry.

The first clock and watch maker to locate here was Thomas Matthews, in 1808. He was an ingenious and skillful workman, and made, by hand, many of the old eight foot, eight day clocks in vogue here in the early part of the century. He was eccentric as well as ingenious: he used to say that the primitive settlers here were as healthy, peaceable, moral and happy a people as he ever saw until the doctors, lawyers, and preachers came in; then, he said, they began to get sick, to quarrel and law each other, and to develop all sorts of meanness. I don't know whether he claimed to have established the relation of cause and effect between these phenomena, or whether he regarded them as merely curious coincidences.

Fleming Cobb, of canoe memory, brought from Virginia the first fruit trees to the valley. The eccentric "Mad Anne" Bailey brought the first geese to the valley, and brought on horseback, the first worm still.

The first tan-yard was established by William Blaine, below Elk, "in an early day." The first hearse and dray were brought here by Noah Colley, colored, in 1835. The first regular undertaker was S. A. Skees, in 1867. The first cabinet maker was James G. Taylor, in 1833.

The wire suspension bridge across Elk was built by a stock company in 1852. It was cut down by General Wise in 1861, but repaired by the company.

The Keystone bridge was built by J. Brisben Walker in 1873; destroyed by ice in 1879, and rebuilt by the county in 1885, as a free bridge.

The first circuit court held here was by Judge Coulter, on the 29th of April, 1809. Of Judge Coulter the following anecdote is related: Having, at this first sitting, fined a transgressor for some infraction of the law, the victim, probably not a teetotaler, arose, and unabashed by the solemn dignity of his surroundings, addressed the court as follows: "See here, Mr. Judge, ain't you a settin' of your Coulter a leetle too deep for new ground?" Judge James Allen followed Judge Coulter in September, 1811, and Judge Lewis Summers succeeded Judge Allen on the bench in 1819, and held the position until 1843.

The first steamboat ever in the Kanawha river, was the Rob't Thompson, in 1819. She returned from Red House, not being able to stem the swift current to Charleston. The first steamer to reach Charleston was the Andrew Donnally, in January, 1821. The next was the Eliza, in 1823.

In 1833 there was a very exciting and long remembered steamboat-canoe race here, on which, it is said, several thousand dollars changed hands. The principal bet was $500 between Mr. T. S. A. Matthews, on the canoe, and Capt. N. B. Coleman on his steamer, the Daniel Webster. The canoe was a long, slim and well proportioned "dugout," highly polished and varnished to lessen the friction of the water, and was manned by six young, athletic rowers, full of pluck and confidence. The opinions of the public were about evenly divided; every one was willing to back his judgment, and betting ran high among all classes, ranging from a few dollars to several hundred, in amount. But the canoe soon came to grief, it was capsized by the passing steamer, and the confident rowers treated to an involuntary bath.

In the fifties a sprightly and charming young lady from one of the Northern cities, who had been reared amid the conveniences and luxuries of city life, came to Charleston to visit one of her "country cousins;" upon returning home she reported to her friends that the Charlestonians were a charmingly simple-minded and worthy sort of people. But oh, such primitive ways! "Would you believe it," said she, "that they still preach hell-fire down there, and haul their water in barrels."

The first frame house built in Charleston was on Kanawha street, just below the court-house lot in 1813.

The next was on the south side of Kanawha street, above Alderson, in 1814. The first brick house was on the bank between Truslow and Clendennin streets in 1815 and is still standing.

The first general merchants here were Henning & McFarland; in 1813, followed by Bureau, Summers & Scales, at the corner of Kanawha and Summers streets.

In 1871 the street nomenclature, hitherto much confused, was reconstructed and recorded. In the same year the city was first lighted with gas. In the same year the Spring Hill cemetery was established. In the same year the first steam ferry across Kanawha river was established. In 1872 the West Virginia Legislature first met in Charleston. In 1873 the Chesapeake & Ohio railway was opened to travel, and the United States Government commenced the improvement of the navigation of the Kanawha river. Completed in 1898.

In 1815 the first natural gas well in America was struck within the present city limits, by Capt. James Wilson, while boring for salt water. It is on the river bank, nearly opposite the residence of Mr. Frank Woodman.

The first tailor established here was James Truslow in 1815. The first shoemaker was George Mitchell in 1815. The first hatter was Gabriel Garrou in 1816. The first pottery ware maker was Stephen Sheppard in 1818.

The first wharfboat here was established by H. W. Goodwin in 1865. The first public school building was erected in 1870. The first brick pavement (roadway) was laid by John P. Hale on Capitol street in 1870. Summers street was paved with brick in 1873 and is still in use and in fair condition.

In 1872 the temporary Capitol building was completed. in 1875 the "State Capitol on wheels" was removed to Wheeling. In 1884 the permanent Capitol building was completed and in 1885 the State government was returned to Charleston, its now "permanent seat;" its location having been settled by a vote of the State.

In 1884 the government building was completed and occupied. In the same year the O. C. now the Kanawha & Michigan R. R., was completed to Charleston. In 1893 the C. C. & S. R. R. was put in operation.

The first wholesale grocery was established by Ruby & Hale in 1872. The first wholesale dry goods house was by Jelenko Bros., in 1874. The first wholesale hardware dealers were W. F. & J. H. Goshorn in 1875. The first wholesale liquor dealers were Sam'l. Strauss & Co., in 1876. The first wholesale shoe house was by Jelenko & Loeb in 1877.

The highest water ever known in the Kanawha river was in September, 1861, when it was 46 feet, 10½ inches above low water mark and submerged a large portion of the city. The next highest water was in September, 1878, when it was 41 feet, 7 inches above low water.

In 1884 the city hall was built.

In 1885 ice machinery was introduced by Lieutenant Staunton.

In 1886 the Charleston Water Works Co. commenced the service of water.

In 1887 electric lights were introduced by O. H. Michaelson.

In 1890 the Charleston Street railroad commenced running and in 1894 changed from mule to electric power.

In 1891 the elegant steel bridge over the Kanawha was opened.

In 1892 the Burlew Opera House was opened.

In 1894 the fine stone court-house was completed.

The approximate population of Charleston at the several dates given below has been about as follows:

1778 to 1790	35
1798 to 1800	60
1805 to 1810	100
1820	500
1830	750
1840	1200
1850	1500
1860	1800
1870	4000
1880	4500
1890	8000
1900	11099

About one-fifth, or 20 per cent. of the population is colored.

The early settlers of a new country are generally an enterprising, wide-awake and progressive people. It is such people who have the pluck and energy to sever their connections with an old community and go to a new; to "go west and grow up with the country," or go west and build up the country.

From all the accounts we have of them, the earlier settlers of Charleston and vicinity were no exception to this rule; on the contrary these characteristics were probably exceptionally pronounced in their cases; and for racy, sprightly wit and fresh originality, in addition to their general intellectual development, I doubt if they were excelled by the builders of any other town.

There is still afloat here, handed down traditionally, a fund of humorous and racy anecdotes in relation to the smart sayings, doings and practical jokings of these old worthies that would fill a volume if gathered together.

> "They were such men, take them for all in all,
> We shall not look upon their like again."

THE STATE SEALS.

JAMES C. MCGREW, ESQ.

From The West Virginia School Journal, by courtesy of Mr. Trotter.

A few years since the writer was called on to tell a teachers' institute how West Virginia came to be a State. Perhaps the hundreds of teachers in the State who read the School Journal, and whose lives began since the stirring times of eighteen hundred and sixty-three, many read with some degree of interest the story of how, when, and by whom, the seals and coat of arms of the State were devised, and what the various parts which compose the picture are emblematic of.

The use of seals, private and official, has come down to us from remote antiquity. Frequent mention of seals is made in the Bible; and it is said by antiquarians that they have been found to exist in great numbers and variety of form in Assyrian remains. It is supposed that when seals first came into use it was for the purpose of affixing the name of the individual owner to a writing; and subsequently they came into use for the purpose of authenticating written agreements between private individuals, and also public documents. In this country the United States and the different States of the Union have seals, each different from every other. Some are very simple and others quite complicated in their composition while they differ also in form. The circular form appears to be the most common, while the spade or ogive form is frequently met with. The use of seals, for both public and private purposes, probably came to us from England.

In many of the States of the United States a simple scroll made with pen and ink is a legal seal.

When West Virginia was organized on the 20th of June, 1863, and Arthur I. Boreman was inaugurated governor, the State had no seal; and hence was without a legal method of authenticating documents pertaining to the affairs of the State. The legislature met and was organized June 20th, and on the 22d, Peter G. Van Winkle, a member of the house of delegates, offered the following:

"Resolved, with the concurrence of the Senate, That a committee be appointed to devise suitable devices and inscriptions for the seals of the State, and report the same to the legislature; and that until such seals are adopted and ready for use, the Governor be authorized to affix his private seal to all instruments otherwise requiring the seal of the State."

Under this resolution P. G. Van Winkle, Wm. L. Crawford and L. E. Davidson were appointed on the part of the house of delegates.

The resolution was immediately concurred in by the Senate, and the following members appointed on the part of the Senate: D. D. T. Farnsworth, Edwin Maxwell and Greenberry Slack.

The joint committee held several meetings, and as the members differed somewhat radically in their tastes and views of what would be appropriate for the seal, another senator and two delegates, (of whom the writer was one), were called into consultation with the committee, and a device for the seals was finally agreed upon. A gentleman by the name of J. H. Diss Debar, a foreigner, who was at the capital contesting the seat of one of the delegates, and who was an expert draughtsman, was called upon and executed the original design, working in the various emblems which had been decided upon by the committee together with appropriate inscriptions.

The Legislature had taken a recess from August 5th, to September 2d, and in the meantime the drawing of the seal had been completed by Diss Debar, and had been photographed for inspection by the members.

The report of the joint committee was made to the house of delegates September 23d, and adopted without dissent. The description of the seals contained in the report was literally as follows:

"The disc of the great seal to be two and one-half inches in diameter. The obverse to bear the legend, "State of West Virginia," the constitutional designation of our State, which, with the motto "Montani Semper Liberi," (Mountaineers Always Free) is to be inserted in the circumference. In the center, a rock with ivy, emblematic of stability and continuance, and on the face of the rock the inscription "June 20, 1863," the date of our foundation as if "graved with a pen of iron in the rock forever." On the right of the rock a farmer clothed in the traditional hunting shirt peculiar to this region, his right arm resting on the plow-handles and his left supporting a woodman's axe, indicating that while our territory is partially cultivated, it is still in process of being cleared of the original forest. At his right, a sheaf of wheat and a cornstalk. On the left of the rock, a miner, indicated by the pick-axe on his shoulder, with barrels and lumps of mineral at his feet. On his left, an anvil, partly seen, on which rests a sledge hammer, typical of the mechanic arts; the whole indicating the principal pursuits and resources of the State. In front of the rock and figures, as if just laid down by the latter and ready to be resumed at a moment's notice, two hunter's riflues, crossed, and surmounted at the place of contact by the Phrygian cap, or cap of liberty, indicating that our freedom and independence were won and will be defended and maintained by arms.

The above to be also, the legend, motto and device of the less seal, the disc of which should have a diameter of an inch and a half.

The reverse of the great seal to be encircled by a wreath com-

posed of laurel and oak leaves, emblematic of valor and strength, with fruits and cereals, productions of our State. For device, a landscape. In the distance, on the left of the disc, wooded mountains, on the right, a cultivated slope with a log house peculiar to this region. On the side of the mountain a representation of the viaduct on the Baltimore and Ohio Railroad, in Preston county, with a train of cars about to pass over it. Near the center, a factory, in front of which a river with boats, on the bank and to the right of it nearer the foreground a derrick and shed, appertaining to the production of salt and petroleum. In the foreground a meadow with cattle and sheep feeding and reposing; the whole indicating the leading characteristics, productions and pursuits of the time. Above the mountains the sun emerging from the clouds, indicating that former obstacles to our prosperity are disappearing. In the rays of the sun, the motto, "Liberatis e Fidelitate," ("Liberty from Loyalty,") indicating that our freedom and independence are the result of faithfulness to the principles of the Declaration of Independence and the National Constitution."

The committee in their report recommended "that the device and motto for the obverse of the great seal, be also adopted as the coat of arms of the State.

On September 26th, 1863, the legislature passed a joint resolution adopting the legend, mottoes and devices reported by the committee on the subject, as the great and less seals, and the coat of arms of the State, respectively; and the Governor was authorized and requested to have engraved a great and less seal, of the dimensions, and bearing the devices, etc., recommended by the committee in their report, and that the same be the only legal official seals of the State.

Kingwood, W. Va.

THE FINAL CRISIS IN OUR STRUGGLE FOR STATEHOOD.

By the late WAITMAN T. WILLEY, LL. D.

From The West Virginia School Journal, by courtesy of Mr. Trotter.

In compliance with a request from the editor to write an article for the West Virginia School Journal having reference to some phase of our struggle for statehood, I submit the following reminiscences relating to the approval, by the President of the United States, of the act of Congress whereby the State of West Virginia was admitted into the Union. These reminiscences are confined to

the ten days during which the President had the said act under his consideration.

The members of the United States House of Representatives, at the time, from the territory embraced within the boundries of the proposed new State, were Hon. Wm. G. Brown, of Preston county; Hon. J. B. Blair, of Wood county; and Hon. K. V. Whaley, of Mason county. Hon. John S. Carlisle and I were in the Senate.

Mr. Whaley, I think, had gone home; and Mr. Carlisle, for some reason never yet explained, had become opposed to the creation of the new State, and was making strenuous efforts to defeat it, thus leaving only Mr. Brown, Mr. Blair, and myself present as friends of the measure.

It soon became known that Mr. Lincoln was seriously perplexed as to his duty in the premises, and had asked for the advice, in writing, of the members of his cabinet. This filled us with great anxiety; and so Mr. Blair and myself resolved that we would undertake the rather delicate adventure of calling upon the several members of the cabinet, personally, and of explaining to them the reasons for the new State movement.

We first went to the Treasury Department to see Mr. Chase. To our great delight, he received us kindly; and, to our surprise, stated unreservedly that he was in favor of the measure, and had so advised the President. Learning from us that we were on our way to see the Secretary of War in relation to the same subject, Mr. Chase remarked, that, if that were the only business we had with the Secretary of War, it were hardly necessary to trouble him or ourselves about it for he and Mr. Stanton had conferred on the subject and were agreed in their advice to the President. We found Mr. Seward busily engaged in preparing foreign dispatches which he wished to get ready to send by a vessel which was to leave New York the next day. He was more reticent than Mr. Chase. He stated that his advice had already been given; that it was now too late to discuss the matter even if he had time to do so; and with an air and a smile, which meant more than his words disclosed, dismissed us by saying that any further discussion would not redound to our advantage. We did not call upon the Secretary of the Navy, nor upon the Attorney-General. Their opposition was so flagrant and pronounced that we supposed that an interview with them would be unavailing. The office of the Secretary of the Interior was, I think, at that time vacant. It only remained to see Mr. Blair, the Postmaster-General. We found him irreconcilably opposed to our wishes.

The bill still remained in the hands of the President until the last day of grace, under the Constitution, when we became so apprehensive of a veto that we determined to wait on him and make a last appeal for mercy. We found him busily engaged with public

men and public affairs. But he said he was glad to see us, and greatly desired to have a full and free conference with us about the new State, and that he would be obliged to us of we would call at his office that evening at seven o'clock, when and where we could discuss the matter at leisure and without interruption.

Promptly at the time appointed, Mr. Brown, Mr. Blair, and myself were at the White House. The President received us in his usual genial and familiar way. Our conference had not proceeded very far until he said that he had received the written opinion of each member of his cabinet, and that inasmuch as they were brief he would read them to us without disclosing any names. He did so. We had no difficulty, however, in assigning to each paper the author thereof. Mr. Seward, Secretary of State, Mr. Chase, Secretory of the Treasury, and Mr. Stanton, Secretory of War—mighty men—were for the approval of the act. Mr. Wells, Secretary of the Navy, Mr. Bates, Attorney-General, and Mr. Blair, Postmaster-General, were opposed to it—three for, and three against. Pausing awhile, the President said he had another paper from which he would read a little, and taking from the drawer of the desk by which he was sitting several sheets of manuscript, he began to read from them very deliberately, stopping quite frequently to make comment on the propositions. Of course we knew that he had written this paper himself, and, therefore, supposing that it would reveal his final purpose, our interest in it was intense. But before he had read it all through, and before reaching an ultimate conclusion, if, indeed, he had yet reached any such conclusion, he laid it aside. Mr. Brown at this point, remarked that he considered this paper by far the ablest of all. "Yes," said Mr. Lincoln, with that quizzical expression of face and voice which usually came to him when anything amused him, "yes, Mr. Brown, I suppose you think this is the odd trick." Whereupon Mr. Blair rejoined, "And that is the trick we want." And I, not being an expert in that kind of nomenclature, held my peace, lest I should disclose my ignorance.

And now the President required us to state to him the reasons, in full, upon which we justified the creation of this new State. We did so to the best of our ability. We assured him that the desire for a division of the State of Virginia was not a sudden, recent impulse, excited by the rebellion then raging, but was an inveterate sentiment of half a century's growth among the people of the State, having its origin in geographical, social, economical, and politial antagonisms, whcich could never be reconciled, at least while slavery existed; that the great majority of the slaves were held in the eastern section of this State, whilst there were very few slaves in the trans-Alleghany section out of which the new State was to be taken; that this condition must necessarily, remain so, because the climate, soil, and staple productions of the latter were

not adapted to slave labor, and, especially because its interjection between the State of Ohio on the one side, and the State of Pennsylvania on the other side of it, afforded such ready and convenient facilities for escape that few slaves would ever be brought there; that thus, "the inevitable conflict," which was then deluging the nation with blood would be perpetuated in Virginia as long as slavery continued; that under the apprehension that if ever Western Virginia obtained a numerical majority in the Legislature, their "peculiar institution" would be endangered, the eastern slaveocracy had, by the most arbitrary and despotic proceedings, persistently withheld from our western people their rightful and equal participation in governmental affairs; that the public revenues had been mainly expended in the eastern sections of the State; that the development of the rich natural resources of wealth in our section of country had been designedly hindered and delayed lest its increase in wealth and population should become so overwhelming that our claim for a just and equal share of the political power of the State could be no longer resisted; that there was, in fact, no homogeneity of social, industrial, political, or geographical relations between the two sections and under the then existing circumstances could not be.

Mr. Lincoln listened to us patiently, and not without apparent interest in what we said. We also described the anomalous and perilous condition of the people living within the boundaries of the proposed new State; that they were subjected to the conflicting claims to their fealty and service of the Confederate States government and of the United States and were especially annoyed by the Confederate States government at Richmond, Virginia, which had been making provisions for the establishment of a regular police in every county who might arrest and carry away from the vicinage, to be tried in any other county in the State, all persons suspected of disloyalty to the Confederate authorities; that large parts of said territory were frequently overrun by marauders and guerrillas, harassing, robbing, and sometimes murdering the people, under pretense of military warrants to do so. We suggested that our organiaztion as a State duly recognized by the United States would go far toward arresting these disorders, would encourage, consolidate and strengthen the friends of the Union, intimidate their adversaries, and be a potent factor in a military point of view of suppressing the rebellion. And so we discussed the question pro and con for three hours or more.

The evident drift and tendency of the President, remarkable through the description, and especially in so much of his own manuscript as he read to us, were in the direction of approval. It was very apparent that he would like to find satisfactory reasons for giving his assent, and his significant references to the Act as a

judicious "war measure," gave us assurance, that in this view of it, if from no other consideration, he was finding a sufficient justification of approval.

It was after ten o'clock, when this, to me, ever memorable interview was concluded. We retired with high hopes—hopes well founded indeed; for the act of Congress, whereby, "The State of West Virginia was declared to be one of the United States of America," upon certain conditions which were subsequently duly complied with was approved and signed by the President within less than two hours afterwards. It is difficult for me to realize that this occurred more than thirty-four years ago.

Abraham Lincoln! Admirable personage! Like Abraham Davenport in Whittier's imagination,

> "There he stands, in memory, to this day
> Erect, self-poised, with rugged face,
>
> * * *
>
> A witness to ages as they pass,
> That simple duty hath no place for fear."

Morgantown, W. Va.

WEST VIRGINIA STATE DEBT.

The following article is a chapter taken from "The History of the Formation of the State of West Virginia. Why Formed and How?" by W. S. Laidley, Esq., of Charleston, W. Va. The said history has not yet been published, but is prepared and ready for the press. The article is a defense to the claim that West Virginia is bound for a part of the public debt of Virginia, and the subject is one of interest not only to the historian, but also to the lawyer, and especially to the Legislature of West Virginia. We have no doubt but that it will evoke some criticism and replies from some of the Virginia politicians, and more probably from some lawyers, in the interest of the syndicate holding West Virginia certificates.

CHAPTER XXVI.

PUBLIC OR STATE DEBT.

The State of West Virginia has contracted no debt, and by the provision of the Constitution adopted when she was formed, and which is now a part of the present Constitution, she can contract no debt. It is intended that she shall run on a cash basis, and pay

as she goes. It is however claimed, that this State owes a part of the debt of the State of Virginia, that her territory was part of Virginia, and that this territory must bear its portion of the debt that existed at the date of the separation, and that the area of West Virginia is about the one-third of what Virginia was, so her liability is for the one-third of the said debt.

Why the territory should be taken as the measure of liability, rather than the population, the people who made the debt and composed the State, is not very clear.

It is, however, clear, that if West Virginia has any debt, it is one that she had nothing to do with the making, and one for which she received no benefits.

The State of Virginia has settled down on the proposition that West Virginia must pay the one-third of her debt, that existed January 1, 1861, which was $31,778,867.32.

There are others, however, that claim that the portion of the debt that the new State should pay, is fixed by the Ordinance of the Convention of West Virginia of August 20th, 1861, at Wheeling, which provided that the new State should take upon itself a just proportion of the said debt of Virginia, and the mode of ascertaining this proportion was then set forth, and it only remains to make the statement thereby required, to determine the amount thereof.

Then there are others, who claim that the amount of the said new State debt, can only be determined by the provisions of the Constitution of the new State, when said State was organized, with the consent of Virginia and of Congress, and admitted into the national Union as one of the United States of America.

Then there are others, that claim that West Virginia owes no part of the Virginia debt whatever, either at law or in equity.

Let us examine all of these claims, and see, if we can, determine which is the best supported by authority, law and equity.

VIRGINIA'S CLAIM.

The people of Virginia may be able to consider the validity of others rights, privileges and powers, but when they come to deal with the people residing west of the Allegheny, most of whom came from another part of Virginia, east of said mountains, they seem to have no regard for the rights of the West Virginian and that they have none, which the Eastern Virginian is bound to respect, and they seem to think that by an inheritance they have the right to direct and control, without consulting the western man, in regard to his rights and privileges and duties.

The Court of Appeals of Virginia, in the case of Higginbotham against The Commonwealth, 25 Grattan 627, decides that the State of West Virginia is bound for the whole debt of Virginia, to the

same extent that Virginia is bound, and in the opinion, the Judge indulges in considerable extravagance to show his admiration for the old State and his contempt for the new one. And in another decision, reported in 81 Virginia Reports, 343, after speaking of the validity of the bonds and coupons given by Virginia, for the two-thirds of her debt, says: "If West Virginia is faithful to her obligations resting upon her, the creditors will receive the other third also." We suppose that he means by "her obligations, resting upon her," the obligations imposed by the State of Virginia, when the said Virginia set apart the one-third of her debt and issued certificates therefor, which she said was the part that West Virginia was to pay and which have since been denominated "West Virginia Certificates."

It may be that the people of Virginia take to themselves great credit for extreme liberality in letting us off with paying the one-third only of her said debt, instead of requiring us to pay it all. If the debt so set apart is due to Virginia, and we did owe to her the whole of the said debt, and she let us off with the payment of the one-third of what we owed to her, then we would feel that she had been very liberal towards us, and our gratitude would have been manifested in every conceivable manner. But it appears that Virginia owed the bonds, and she took up the old bonds, with new ones, for the two-thirds thereof, and gave the certificates, that West Virginia would pay the rest, and we fail to see where the authority comes from, to make the State of West Virginia liable for anything, and hence our sense of gratitude may not be excited to the extent that might be expected of us. But the State of Virginia seems to have settled down upon the proposition, that West Virginia must pay the one-third of her debt, which is represented by the said "West Virginia Certificates," and the Hon. Jas. M. Mason, of Jefferson county, says, "that it is easier to establish the Mohammedon religion in Virginia, than to pass a law that would require her to pay any part of the said one-third which has been set apart for West Virginia to pay."

We are not informed whether this is an "authorized version" of the situation, but we take it, that this is about correct.

The next question is, whether the claim, that West Virginia is bound by the Ordinance of Virginia of August 20, 1861, and that this is the proper measure for the liability of West Virginia?

This Ordinance was adopted by the Convention of the people of Virginia, assembled at Wheeling, before there was any new State in existence, and before the name of said new State had been determined, but there were indications, "coming events cast their shadows before," which created expectations, and if there was no bad luck, there would be one to name, and the Convention said, this expected new State should take upon itself a just proportion of the Virginia debt, and then prescribed the mode of ascertaining this

part. No other power or authority had anything to do with this decision of the Virginia Convention, but when the new State came into existence, and was named "West Virginia," and it made, or had made for it, a constitution, and the provisions of the said constitution was adopted November 26, 1861, it disregarded the Ordinance of the Virginia Convention and instead thereof, provided that the Legislature of West Virginia should ascertain the equitable part of the Virginia debt that the new State should assume and pay.

After the said constitution had been made and adopted the State of Virginia, by its Legislature, "gave its consent to the formation of the new State of West Virginia," by an act passed the 13th day of May, 1862, "out of the counties (naming them), according to the boundaries and under the provisions set forth in the Constitution of the said State of West Virginia and the schedule thereto annexed, proposed by the Constitution which assembled at Wheeling on the 26 November, 1861."

That with the said provision in the Constitution, Congress afterwards admitted the State into the Union.

Here we have a provision in the Constitution for the new State, different from that in the Ordinance of Virginia, and the consent of Virginia and Congress, to said State, to be a State in the United States, and this provision is the only provision, whch all three of the said powers had consented to, and it would seem that if there was any compact, in relation to the subject of the State debt, this would be the one.

While Virginia had said that the debt should be ascertained in a certain manner, and West Virginia had said it should be ascertained in another manner, and Virginia consented to the formation of the new State with this Constitution, she can not insist on the provisions of the Ordinance, but is bound by her consent to the provisions in the Constitution of West Virginia, which is that the Legislature of West Virginia shall ascertain the equitable proportion to be assumed by West Virginia. That the subject is placed under the jurisdiction of the Legislature of West Virginia and this only can determine it.

That Virginia can not have a judicial ascertainment of a proportion, to which she has assented, shall be done by a legislature. If there is any such thing as estoppel, this will certainly estop her from any other course.

After the new State had been formed, the Legislature of Virginia appointed Commissioners to treat with like Commissioners to be appointed by West Virginia, but it has been said that it was "an open secret" that the Virginia Commissioners would adjust upon the terms of West Virginia assuming the one-third of the said debt and upon no other terms whatever, and that this was known to the Governor and Legislature before the said Commissioners were appointed.

West Virginia also appointed Commissioners, one set under the Act of 1871, and another under the Act of 1873.

When the first Commissioners from West Virginia reached Richmond, and stated their mission, they were received very politely as men, but were not recognized as representatives from West Virginia, as this State had not yet been fully recognized as a fact, at that State, at Richmond.

No action was ever taken by the said Commissioners jointly.

The Commission of 1871 reported the part to be paid, under the Ordinance plan, would be $953,360, and the 1873 Commission made the sum $525,000, while the Virginia plan made the West Virginia part $10,592,955.77, which on the first day of January, 1901, with forty years interest added, would make the debt $36,201,961.12. This would take, for interest and a payment of one million per year, for sinking fund, an annual sum to be raised of $3,162,177.66 by taxation.

We feel confident in asserting that the Virginia claim of one-third, has nothing to sustain it, but the Virginia assertion of it. That the plan of ascertaining the amount under the Ordinance is not binding on West Virginia, for it is only an assertion of Virginia, and which she subsequently abandoned.

Virginia will claim we owe her one-third of the debt or nothing, and she refuses to recognize any Act or Ordinance passed at Wheeling in her name, and does not recognize the consent given by her Legislature, done at Wheeling in May, 1862, and West Virginia does not recognize the binding effect of an assertion made by Virginia, any where; that we owe her anything. But that the Legislature of West Virginia alone has the right to determine the question of amount she should assume. What has West Virginia decided?

In the year 1872, the people of West Virginia, assembled in convention, and took into consideration the amendment of the Constitution of West Virginia. During the progress of the said Convention, the clause in the first Constitution which recognized an obligation on West Virginia to assume and pay an equitable part of said debt, was under consideration, and when all the facts and figures had been collected together, Mr. Woods offered the following resolution, which was referred to the committee which had in charge the subject of Taxation, Finances, etc.:

"Resolved, That there exists no just, legal, or equitable claim against the State of West Virginia, for the payment of any portion of the public debt of Virginia, and that the existing provision on that subject, in our present Constitution, ought no longer to exist."

When the said committee reported the article for the new Constitution on this subject, the clause which was in the first Constitution referred to, was omitted.

That it was purposely and not accidently omitted is shown by the Journal of the Convention, see pages 202-203, where it will appear that Mr. Willey moved to amend the said report, by adding the following additional section, viz:

"An equitable proportion of the public debt of the Commonwealth of Virginia, prior to January 1, 1861, shall be assumed by this State, and the Legislature shall ascertain the same as soon as practicable and provide for the payment thereof."

Upon which motion the vote by "Ayes" and "Nays" were ordered and taken, and Mr. Willey's motion was lost.

By this action of the Convention, Mr. Woods' resolution was adopted, the Convention adopted the Constitution omitting the clause which Mr. Woods said should no longer exist. And the people of West Virginia, adopted the said Constitution. Thus the people of West Virginia adopted the resolution of Mr. Woods, that there was no just, legal or equitable claim against West Virginia for the payment of any part of the public debt of Virginia, etc.

We here give the names of the voters on Mr. Willey's motion:

The ayes were: Messrs. Armstrong, Atkinson, Brown, Dickinson, Farnsworth, Fitzhugh, Hagans, Kantner, Mathews, Miller, McCreery, Pearce, Pendleton, Pipes, Pugh, Robinson, Smith, Wheat, Willey, and Mr. President (Gov. Sam'l Price)—20.

The noes were: Messrs. Arnett, Bassell, Bee, Boggs, Byrne, Calfee, Crim, Cushing, Davenport, Faulkner, Ferguson, Ferrell, Haymond, Hall, Haynes, Hoge, Hollt, Jackson of Wood, Jackson of Lewis, Johnson of Wood, Johnson of Tyler, Knight, Leonard, Lurty, Martin, Moffett, Monroe, Morgan, McCleary, Osborn, Parrell, Park, Pate, Prince, Randolph, Roberts, Snider, Strickler, Stump, Thornburg, Thompson, Travers, Waggener, Warth, Wilson and Woods—46.

But it may be said that this action of the Convention and the people is not a compliance with the requirements of the Constitution that says "the Legislature shall ascertain the amount, etc."

Strictly, it may not be, but if the representatives of the people, in the Legislature can do it, why can not the representatives of the people in their Convention do it, and especially when their action is ratified by the people themselves. The will of the people is more directly obtained in this way than by the Legislature, and it is then known what the will of the people is.

But suppose that the subject is one not left to the will of the people, or the Convention, or the Legislature, and that it is a judicial question, one that some court has jurisdiction over, and that can determine the matter.

What court will it be? Certainly not one in Virginia. It will be said, that it must be a court of the United States, and we sup-

pose it would be claimed that the United States Supreme Court would have jurisdiction.

Admitting, for the sake of the argument, that this is true, and that the plaintiff is the State of Virginia, and that the defendant is the State of West Virginia, and that the suit is in equity, in which the history of the separation of the new State from the old State, and of the indebtedness of the old State are fully set forth, and that Virginia prays that West Virginia be compelled to pay the one-third of the Virginia debt prior to January 1, 1861, what would be the decision of said court on a demurrer to the said bill?

The subject of the division of towns and counties, and the question of the liability of that territory which has been made into a new town or county, has been determined by many of the Supreme Courts of the States, and it has also been determined by the United States Supreme Court. In the case of Commissioners of Laramie County vs. Commissioners of Albany County et al., reported in 92 U. S. Sup. Court Reports, pages 307-315, we find the principle discussed as to counties and the Court said: "Where the Legislature does not prescribe any regulation, the rule is that the old corporation owns all the public property within her new limits, and is responsible for all her debts, contracted by her before the separation. Old debts she must pay without any claim for contribution and the new subdivision has no claim to any part of the public property, except what falls within her boundaries and to all that, the old corporation has no claim. And the syllabus says: "Held, that the old county being solely responsible for the debts and liabilities it has previously incurred, on discharging them, has no claim on the new county for contribution."

From this, it must be certain, that Virginia has no claim against West Virginia, until she, Virginia, has paid the said "indebtedness," and when she has, she has no claim against West Virginia, unless she can make it appear that there was some power, which took the place of the Legislature, and has the right to dictate the terms of separation and had prescribed the terms and conditions upon which the separation was to be made, and those terms required West Virginia to pay the sum claimed by Virginia.

Neither can the court make a distinction between the principle laid down for the division of counties, and that of the separation of West Virginia from Virginia; the separation of a number of the counties of Virginia, from the other counties. The principle of law governing one is applicable to the other.

The doctrine of contribution is too large a subject to here discuss, nor shall we cite authority to sustain the United States Supreme Court, but shall leave the subject to the reader, and let him decide, how he will reconcile this case with the case reported in 25 Gratt. heretofore mentioned.

But suppose that this case is not law in our case, that the action of the people of West Virginia, or her Convention is not decisive, that the provision of the Constitution which leaves the matter to the legislature, is not the controlling power, and that the provisions of the Ordinance in no way binds Virginia, but that the court, will upon equitable principles, determine the matter of the liability of West Virginia. What will West Virginia answer to said bill?

Those who have read the preceding chapters of this work, or have studied the history of the formation of the new State, and have learned the cause of the separation, as shown by the Conventions of Virginia, and her General Assembly and her Legislature and her whole history of her treatment of the people of the west, will find an abundant answer, to show that there is no equity in said bill. How that if the two hundred million dollars worth of slave property in the east had been taxed, as the entire property of the western people were taxed, there would have been no need to borrow funds, and had it been borrowed, it could have been paid long before 1861.

From the year 1800, the people of the west clamored for relief against the unjust discrimination on taxation and in 1829 secured from the Legislature, the call of a Convention to amend the Constitution; but in the call, the number of the members of the Convention was determined as well as from what counties they should come, so that the majority of the Convention was given to the part of the State east of the Blue Ridge. By the power of that majority only, did the said Convention refuse to tax all property according to its value and there was no relief given to the west in this matter.

Thus it continued a matter of contention, until the Convention of 1852 gave an amended Constitution, but this also contained the unjust and iniquitous discrimination and refused to tax slave property at its valuation.

When railroads, canals and public improvements were wanted, or when there was a deficiency of revenue to meet the appropriations, they resorted to borrowing money rather than tax and pay the tax on the slaves at any reasonable valuation, and the entire property of the western man was taxed and collected; and the improvements made in the eastern part of the State. Thus was the debt made and thus was the money expended from the year 1800 or earlier, down to 1861, and no appeal that could be made, would influence the "old Virginian" to make any change, or to treat the western people fairly.

The public debt of Virginia was made and its nonpayment was occasioned, by the unjust exemption of the property of the eastern people. If the wrong had not been perpetrated there would have been no unpaid debt, therefore the claim of Virginia is by virtue of

her own wrongs which affords no ground for relief—a wrong never makes an equity.

Neither the fact that this iniquity was perpetrated by a majority under the name of "the law of the land," prevent the ocurt from enquiring into the defence set up, of want of equity on the part of the plaintiff, for the court will not give any man, or set of men, the benefit of their own wrong, but they must account for the benefits secured and the wrongs done. The claim of Virginia is based upon an assumption that in all their dealings with the western people there was always fair dealing both in the matter of taxation and in the matter of the expenditure of such funds raised by taxation or by borrowing, and the fact is, that this assumption is not true as to either proposition.

The State of West Virginia need not fear any suit that Virginia may bring against her, upon any claim that may be made by Virginia for the payment of one-third of her debt, or any other equitable part thereof.

Virginia issued to her creditors, her new bonds for the two-thirds of her debt, and gave to them a "West Virginia Certificate" for the other third, and it is said she has been released from the obligation of the old bond and is in nowise bound for the payment of the "West Virginia Certificates." What claim can she have against West Virginia under these circumstances?

The said "West Virginia Certificates" have been bought up, for a song, some say for two cents on the dollar, and are held by a syndicate. This syndicate has no claim against West Virginia, and Virginia will allow no settlement that will leave unpaid any part of the said certificates, so that she will be made liable therefore.

The syndicate of the holders of the "West Virginia Certificates," which cost them a trifle, have been moving towards securing the West Virginia Legislature, to assume the payment of the certificates. The Legislature of 1895 was approached, and attempts made to have this session pass an Act for the payment of some part of the said debt, after having secured from Virginia the appointment of a commission to adjust on a bases stated. These Virginia commissioners with a number of the syndicate appeared and brought to bear all the influence they commanded. The result was "House Joint Resolution No. 10, concerning the Virginia debt," as follows:

"Resolved by the Legislature of West Virginia, That this Legislature hereby declines to enter into any negotiations with the debt commissioners, appointed under a joint resolution adopted by the General Assembly of Virginia, in the month of March, 1894, looking to any settlement of the Virginia debt question on the basis set forth in said joint resolution."

This was adopted by the unanimous vote of both Houses.

But it seems the syndicate were not satisfied that this meant

anything, that they construed it as referring to that session of the Legislature only, and only to the proposition made by the said Virginia Legislature, and in 1897, the said syndicate was again before the Legislature of West Virginia, and this time they secured the following:

"HOUSE JOINT RESOLUTION NO. 3.

"Adopted January 21, 1897.

"Resolved by the Legislature of West Virginia, That it is the sense of this Legislature, that West Virginia does not owe one cent of the so-called West Virginia debt, and that this Legislature is opposed to any negotiations on that subject."

Here is the ascertainment of the amount of the debt of Virginia that West Virginia was to assume and pay, under the authority of the Constitution of West Virginia, when West Virginia was formed, when Virginia gave her consent to said formation, and when Congress admitted her into the Union.

The said ascertainment is made pursuant to the authority of the said Constitution, with the consent of Virginia and Congress, and this is final and conclusive, on all parties, not only conclusive against Virginia, but conclusive upon West Virginia, for the power or authority has been exhausted and the said Legislature has no other or further authority in the matter, and its jurisdiction is *functus officio*, and West Virginia can not make any debt, nor can her Legislature make any debt, nor can it act any further in the matter of power over the subject, it has been exhausted, and as to said power the Virginia debt question.

The power to ascertain the amount that West Virginia should assume and pay, is conferred upon the Legislature, that Legislature has executed said power and hence there is no further authority or or authority over this subject, the Legislature is *functus officio*, and any attempt by it, to exercise further power, would be void, and the enforcement thereof enjoined by the Court.

When a tribunal with competent jurisdiction has determined the matter submitted to it, this decision is conclusive, not only to this tribunal and these parties, but to all persons in all courts, until reversed by an appellate court, authorized to review such cases.

If the Legislature is treated as an arbitrator, the award is final and conclusive.

Bayne vs. Morris, 1 Wall. U. S. 97.

Moose on Arbitration, 226, etc.

Notwithstanding the finality of the action of the Legislature of 1897, the syndicate could not resist the impulse to again try the pulse of the Legislature of 1899, and again they procured the sentiment of the Legislature of West Virginia on the subject, perhaps

more fully and definitely expressed, if indeed it could be, than heretofore.

In the Acts of 1899, page 234, will be found:

H. J. R. No. 6.
Joint Resolution No. 3.
Adopted January 21, 1899.
Relating to the Virginia Debt Question.

"Resolved by the Legislature of West Virginia: That this Legislature declines and refuses to take any action in regard to what is known as the Virginia debt, or Virginia deferred certificates, either by considering any propositions of adjustment or settlement, so-called, or by authorizing the appointment of any committee or committees, having for their purpose the consideration of the same, and that it is the sense of this Legislature that the State of West Virginia is in no way obligated for the payment of any portion of the said debt or certificates."

Since the election of November 6, 1900, there has appeared an article in a Richmond paper, which is somewhat surprising. It claims that the Republican party in West Virginia has carried the State of West Virginia, and now has control of the Executive, Judicial and Legislative departments of the State and that the said election was secured by money furnished by the syndicate holding the "West Virginia Certificates," and that, if there should be any of the Republican members of the Legislature that shall kick out of the traces there can be secured enough debt-paying Democrats to take their places, and that the time is near when West Virginia will make some arrangement to pay her public debt. And by way of encouragement against kickers, said writer tries to frighten the West Virginia members by saying that Virginia can bring a friendly suit to have the amount determined, or the Treasurer of the United States can be induced to sue Virginia and West Virginia on some Virginia bonds for money loaned to Virginia by the United States, belonging to some Indian trust fund. This Virginia paper rejoices that there is to be perpetrated an iniquity against West Virginia, and alleges that the members are bought into the traces of the syndicate, to do this villainy.

It seems strange that such a thing would be made public, and more strange that a Virginia paper should rejoice over the probable success of the enterprise. But it only shows the estimate placed by the Virginian upon the intelligence and the integrity of the western man. They assume that a West Virginia politician is both ignorant and vicious, a fool and a knave, degraded and corrupt.

When in 1861, the Virginia Convention, in Richmond, saw the people of the west, meant to separate from them, and to prevent

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them from so doing, they proposed to amend the Constitution so as to "tax all property according to its value." They thought that this bait would allure the western man into acquiescence, because this was what the western people had been clamoring for for ages.

Again, about 1870, the Legislature of Virginia proposed to West Virginia in order to settle all questions of adjustment of debt, and litigation as to the same and as to questions of boundaries and counties, that West Virginia should give up her State government and return to her allegiance to "Old Virginia" and restore her ancient boundaries, etc.

And now, she adds insult to all else by proclaiming that the West Virginia Legislature have already sold themselves to a syndicate of holders of the "West Virginia Certificates."

But the Legislature is going to do nothing of the sort, and they have not nor will they dispose of the manhood, their integrity, to any one, for any consideration.

They are representatives of an intelligent and incorruptible people and they know that such a people will not submit to being sold, even if the Legislature could be purchased.

No, the Legislature will not dispose of the rights of the people of West Virginia for any consideration whatever, and the charge made in the Richmond paper is not true, but a vile slander.

"Breathes there a man with soul so dead
That to himself hath never said,"
This is my home, and my own State,
'T is from Virginia separate.
Nor shall again, for any bait,
Yield her the pow'r to dominate,
Nor sell, nor give, nor delegate
The right to tax, to syndicate.

The following paper, by Chief Mine Inspector J. W. Paul, Esq., is full of statistical and general information relating to the coal area and coal operations of West Virginia. It is up to date, and fuller than anything ever published on the subject. The facts will be found extremely valuable to those seeking information about West Virginia coal and coal lands.

WEST VIRGINIA COAL AND COKE—1900.

Official figures for the year ending June 30, by James W. Paul, Chief Mine Inspector.

Charleston, W. Va., December 27th, 1900

To those interested in the material growth of West Virginia, it may be to their interest to have placed before them the statistics which pertain to the industry which is, each day, extending the

fame and adding to the wealth, progress and greatness of our State.

Coal is our king; lumber our queen. The queen may die but our king shall live to see the fuel of her majesty's kingdom a mere ash heap. So long as solid fuel is used for the liberation of heat units, this State will be a leading factor in supplying the product which adds to the commercial greatness of all nations.

For the past twenty-five years the average annual increase in the production of coal in the State has been 547,538 net tons. The increase for the past two years has been over a million tons each year and the indications are that this same increase may prevail for several years. Only twice in twenty-five years has the State's production failed to increase over the previous year's—in 1876 and 1895.

The decrease in 1895 under 1894 of 239,796 tons may be accounted for by reason of the extraordinary stimulus given our trade in 1894 during which year there was a strike at the coal mines in the adjoining States but which had little following in this State.

The following table will show the production of coal in the State, by counties, for 1897 to 1900, inclusive. Tons of 2,240 pounds.

Fiscal Year Ending June 30th.

Counties.	1897.	1898.	1899.	1900.
Barbour	31,658	48,600	63,275	73,041
Brooke	42,198	56,793	63,176	61,396
Hancock	33,838	42,870	39,440	47,013
Harrison	221,249	271,554	413,150	647,430
Marion	1,368,682	1,639,625	2,392,983	2,925,907
Marshall	162,396	165,874	233,800	242,176
Mineral	537,169	510,757	554,286	562,667
Monongalia	31,288	68,867	56,793	82,148
Ohio	95,578	96,912	119,960	96,610
Preston	120,211	169,044	277,173	403,610
Taylor	178,397	190,532	249,103	376,030
Tucker	647,666	831,497	490,038	1,098,874
Randolph	.....	.....	31,975	103,207
Kanawha	1,042,745	1,213,116	1,293,068	1,456,890
Mason	111,535	109,204	106,867	85,367
Pntnam	131,522	128,851	164,004	203,449
Fayette	2,993,061	3,960,266	4,446,469	4,547,002
Raleigh	63,701	79,315	93,370	68,360
Mingo	267,789	383,280	350,294	466,095
McDowell	2,617,917	3,183,529	3,516,668	4,142,102
Mercer	873,300	1,004,379	1,144,258	1,946,937
Small mines	133,920	140,000	150,000	150,000
Totals	11,705,829	14,294,865	16,250,150	18,886,911

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COUNTY.	1897.	1898.	1899.	1900.
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Mercer	873,300	1,004,379	1,144,278	1,046,957
Small Mines	133,920	140,000	150,000	150,000
Totals	11,705,829	14,291,865	16,250,150	18,886,911

	1897.	1898	1899.	1900
No. of days worked at the mines	197	214	240	261
No. men employed	21,422	23,262	25,108	28,017
Price paid miners per ton	33.2 cts.	33.91 cts.	36.15 cts.	41.06 cts.
Miner's yearly wages	$276.89	$322.15	$376.40	$507.09
Selling price, coal per ton	70.3 cts.	65.95 cts.	63.19 cts.	75.00 cts.
Selling price, coke per ton	$1.25	$1.14	$1.25	$1.75 cts.
Production of coke (Ton of 2,000 lbs)	1,371,497	1,712,256	1,950,179	2,496,106

In 1890 the State produced 7,394,654 tons of coal of 2,000 pounds, and in 1900 21,513,340 tons. While the entire production of the State was, in 1890, then considered enormous we now have two counties, Fayette and McDowell, producing 9,731,796 tons. This is within 6,959 tons of the entire State's production in 1892.

The resort to the use of mining machines is on the increase. The number of mahiches in use in the State and the tons of coal produced is given below:

INCREASE OF 1900 OVER 1897.

Days worked	64,	or 32.4	per cent.	gain
Men employed	6,595,	" 36.1	"	"
Price per ton paid miners	7.86 cts.	" 23.6	"	"
Miners' yearly wages	$230.20,	" 83.1	"	"
Production of coal (tons of 2,000 lbs.)	8,042,812,	" 61.3	"	"
Production of coke (" " ")	1,121,610,	" 81.6	"	"

DETAILS OF COAL PRODUCTION IN 1900, BY COUNTIES.

COUNTIES.	No. of Mines	Loaded for Shipm'nt	Local trade and tenants.	Used at Mines.	Made into Coke.	Total Production.	Selling price per ton at Mines.	Days worked.	Total Employes
Barbour	6	56,057	361	577	16,046	73,041	.75	207	352
Brooke	3	58,199	13,107	90	.....	61,396	.89	288	115
Hancock	4	3,571	13,335	107	.....	17,013	.95	218	64
Harrison	25	611,579	1,772	2,887	25,192	647,430	.84	249	1,222
Marion	23	2,307,312	17,851	11,659	490,075	2,925,907	.79	312	2,062
Marshall	1	226,563	13,305	2,308	.....	242,176	.74	223	57
Mineral	7	560,208	1,923	526	.....	562,667	.....	301	850
Monongalia	2	51,991	306	.....	29,851	82,148	.60	248	107
Ohio	4	92,907	2,178	1,525	.....	96,610	.75	304	174
Preston	12	329,979	2,681	2,050	68,900	403,610	1.08	270	502
Taylor	6	373,394	1,657	979	.....	376,030	.67	239	567
Tucker	9	640,257	4,802	10,336	443,581	1,098,874	1.10	307	1,454
Randolph	3	95,173	2,732	598	4,704	103,207	.67	253	136
Kanawha	63	1,380,770	23,139	6,403	46,878	1,456,890	.93	222	2,797
Mason	8	38,033	31,188	13,146	.....	83,367	.89	189	292
Putnam	3	200,070	2,679	700	.....	203,449	.70	226	407
Fayette	86	3,721,377	45,849	19,758	756,048	4,547,032	.78	247	7,931
Raleigh	3	16,575	1,000	572	20,243	38,390	.82	176	155
Mingo	12	417,045	17,540	2,110	.....	466,695	.76	240	731
McDowell	33	2,557,110	22,959	20,000	1,542,033	4,142,102	.68	260	5,411
Mercer	9	726,483	6,321	883	283,250	1,016,937	.67	297	1,462
Totals	325	14,752,423	263,635	99,824	3,621,029	18,736,911	.75	261	25,917

	1897	1898	1899	1900
No. of machines	55	96	141	241
Tons of coal produced by machines	600,418	1,070,293	1,783,279	2,537,611
Total production of State	11,705,829	14,294,865	16,250,150	18,886,941
Percentage of machine coal	.0513	.075	.106	.134

ACCIDENTS INSIDE OF THE MINES.

	1897	1898	1899	1900
No. of deaths	*62	76	79	133
" " non-fatalities	*167	115	165	164
No. of men employed inside of mine	17,069	18,592	19,634	21,529
No. of men employed inside to one fatality	275	245	248	164
No. of men employed inside to one non fatality	102	161	119	133

*Inside and outside of mine.

The large number of deaths for 1900, being 133, is the result of the Red Ash mine explosion in which 46 persons were killed.

Since 1893 the production of coal in the State has increased over 100 per cent., at present individual corporations are mining more coal than the entire State produced in 1882, when the production was 2,240,000 short tons.

Twenty-two counties contributed the production accounted for and there as are many more counties in which coal mining might be conducted with profit.

During the past year many new mines have been opened, especially in Harrison, Fayette, Preston, Marion, Barbour and Randolph. Many installations of mining plants are under contemplation and many of the older mining plants have undergone expensive and elaborate improvements.

With a continuation of the present demand for coal the future of the mining industry in the State is almost beyond contemplation. To transport the coal from the mines in the State requires 91 railroad trains each working day each hauling 30 cars of 30 tons capacity, or 2,754 cars of 30 tons capacity each day the mines are active.

A conservative estimate of the production of coal for the calendar year 1900 may be placed at 22,000,000 short tons.

It is a mistaken idea that all of the good coals of the State are under operation or that they are owned by existing coal companies. Much valuable coal property may be had throughout the State at prices per acre ranging from five to one hundred dollars. Only exceptionally well located tracts command one hundred dollars, the ruling price being fifteen to thirty and forty dollars per acre. The majority of the coals in the State are above the valleys and may be mined by a drift opening. There are about 400 coal openings in the State from which coal is mined and shipped, and of these only seven are shafts. The deposits of coal are practically horizontal and infrequently have over four or five per cent dip.

METHODS OF MINING.

Little, if any has been written upon the methods in use in the mining of the coal deposits in West Virginia. The impression may prevail in parts out of the State that the coal is mined in a careless and unsystematic manner. This is true only in so far as it applies to the very old mines which were opened as long as 30 or 40 years ago; and these are principally mines of little importance at the present. A number of valuable coal tracts have been lost by reason of the lack of system in developing the coal. The mines of the present present a different condition. The majority of the mines in the State are of large area and are large producers. They are developed on a systematic plan which has for its purpose the extraction of the greater percentage of the coal; the mining of the coal with the least expense; the safety of the mine and a system of ventilation and drainage that will render the mine the best sanitation.

The customary plan adopted in the opening of a mine for the purpose of developing a coal property is, first, to prepare a map of the property showing the property lines, outcroppings of the coal, location of all streams and houses and the elevation of the crop line. This furnishes the basis for a working plan of the mine. Second, if the property is so situated with reference to the railroad as to permit of the property being opened at the lowest part it is most desirable, however, if the coal has its highest tidal elevation near the only available point of attack then a system of headings should be driven toward the lowest point, or a system of headings should be driven from the lowest point in the direction of the main open-

ing, or the headings may be simultaneously driven to meet each other. This may only be done in case the coal is above the valleys and has an outcropping.

The importance of having this opening at the lowest point will appeal to any practical mine man as it will afford a drainage for the mine which is of the greatest importance, thus saving the expense of hauling the water out of the mine in water cars, or the use of pumps which are always the source of much expense.

The plan of the mine may be compared to the plan of the streets, avenues, and alleys of a city. A well planned mine conforms to a well planned city and a badly planned mine may well be compared to a city with streets and alleys running in all directions and in much confusion.

The system which is adopted by the operators who are desirous of the best results generally develop their mine by advancing two parallel headings, driven with the coal, about 20 to 50 feet apart.

At intervals of 75 to 100 feet a cross cut is made connecting these headings. These two headings are called the main headings and airways. It is customary to erect a fan 10 to 20 feet in diameter at the outlet of one of these headings.

The one becomes the main intake and the other the main return for the air current.

At a point about 300 feet from the drift mouth latteral headings will be driven at right angles to the main heading. These are called cross entries, butt headings or first right, first left, etc.

The cross entries are driven about 15 to 30 feet apart and are connected by a cross cut about every 60 or 100 feet for ventilation. If the coal bed is practically horizontal rooms will be turned off these entries both to the right and to the left.

The rooms may be 250 or 300 feet long and as wide as the nature of the roof will admit, usually 15 to 30 feet. A pillar of 6 to 30 feet is left between the rooms. If the conditions are favorable these pillars are withdrawn after the rooms have been extended their proper length.

The cross entries are extended to the limits of the property and when the rooms are completed on them and the room pillars removed the entry pillars are withdrawn. This process of removing pillars is frequently called "robbing pillars," and is a legitimate vocation.

The cross entries are excavated in pairs or sets. These sets of cross entries are turned off the main headings at intervals of 300 to 500 feet. This distance is governed by the grades in the mine, the amount of water encountered, the condition of the roof and the texture and nature of the floor.

In some of the mines in the State so much as 85 to 95 per cent. of the coal is taken from the mine, while there are others which secure no more than 50 or 60 per cent. of the coal.

It is well worthy of comment that those mines in the State which have the most accurate maps secure the largest percentage of the coal.

THE INVENTOR OF THE STEAMBOAT.

By HON. DANIEL B. LUCAS

[From The West Virginia School Journal, by courtesy of Mr. Trotter.]

Few of your readers perhaps are aware of the fact that the inventor of the steamboat was a citizen of Virginia and a resident of Jefferson county, now in West Virginia. His name was James Rumsey. That he was an extraordinary mechanical genius, thoroughly absorbed in inventions and life-plunged in his ideals, is proved by tradition and by his literary remains. That he first applied steam power to the propulsion of vessels is as capable of historical demonstration as is the fact that Columbus discovered America. Notwithstanding this fact, our public teachers—many of them at least—are in the habit of instructing the young of West Virginia that Robert Fulton was the inventor of the steamboat. A notable exception among our teachers is Virgil A. Lewis, who, in his School History of West Virginia, gives credit to Rumsey.

I have collected a large amount of material, but in a short article like the present I must be content to state briefly some salient facts. The late Hon. A. R. Boteler, or Shepherdstown, took a profound interest in this subject, and conceived the idea of erecting a monument to the memory of Rumsey at Shepherdstown upon "the rocky cliff which rises for a hundred feet above the right bank of the river," overhanging and overlooking the very spot where Remsey floated the first steamboat the world had ever seen. I have in his own handwriting the manuscript of Mr. Boteler's lecture. When a member of the legislature in 1887, I prepared a joint resolution for an appropriation to the erection of a monument to the memory of Rumsey, but the uproar of the senatorial contest prevented any ordinary legislation from obtaining a hearing.

Among other material collected, I have unearthed, so to speak,, the following letter from one James Sharpless to the celebrated doctor, James Mitchell, father of Dr. Weir Mitchell, of Philadelphia. The elder Mitchell was a native of Jefferson county, born near Shepherdstown, where Rumsey resided. No doubt his interest in this matter was excited by his citizenship in common with that of Rumsey.

AN HISTORIC LETTER.

Anecdote of the late Mr. Rumsey, and remarks on the steam

engine, in a letter from James Sharpless, Esq., to Dr. Mitchell, dated New York, October 3, 1809:

Dear Sir:—As I expressed to you in a desultory conversation on Sunday last, several objections to the applications made by the ingenious Mr. Fulton for impelling boats by steam, which I presume you did not wholly comprehend, on account of my defective mode of expressing myself, I take the liberty of endeavoring more fully to explain myself and offer my reasons for the preference I give to the applications of the late Mr. Rumsey, in order that, if my observations should be found correct, some advantages may be thereby derived to society.

The float boards of Mr. Fulton's engine, as near as I can recollect, pass through the water at the rate of seven miles per hour, and it is to be presumed that the power of the engine would support this velocity of the float boards, though the boat were at rest. Then this striking force of the boards against the water is seven at the commencement of action, but when the boat has attained its utmost velocity of five miles per hour, its striking force, or resistance to the water is only two; for when the boat has attained this uniform velocity of five miles per hour, and the propelling power is diminished in the same ratio, hence it is evident that two-sevenths of the power of Mr. Fulton's engine would be necessary to sustain the same boat at five miles per hour, provided the apparatus were so constructed as to support a uniform action from the commencement, so that the reacting inert force should be the same with whatever velocity the boat might be sailing at. This property I have always considered Mr. Rumsey's plan to possess, which is extremely simple, ingenious and philosophical. His inventions were carried into effect about twenty years ago upon a small scale, both in America and England; and had he not been injured in his constitution by intense study, and in his pecuniary circumstances by a constant change of his machanical pursuits, he probably would have enriched himself, and have been considered as one of the greatest ornaments of his country. Drawings of his hydraulic inventions were laid before the society for the encouragement of arts, and a committee appointed to inspect them, and they were considered so ingenious and of such general importance that the society petitioned him to give an explanatory lecture. He appointed an evening; his drawings were spread on the table; at the time appointed the society and a number of visitants interested in mathematical and mechanical subjects were collected; a pause of perfect silence marked the general esteem, as the self-taught philosopher approached. He commenced with modest confidence; but unused to the sound of his own voice in public, and struck with the respectability of the assembly to whom he was acting as preceptor, his extreme sensibility overcame him, and a few sentences that he uttered were his last. He spoke no

more, and the tears of general sympathy and regret were increased by the peculiar circumstances of his death."

This letter was published in the "Portfolio," an early Philadelphia magazine, and so far as I know is now republished for the first time.

James Rumsey was of English descent, but was born on "Bohemia Manor" in Cecil county, Maryland, in 1743—some writers have it in 1748, and I have not had time to test their accuracy. It is said that he was a millwright, but whatever his occupation he early discovered an inclination and genius for mechanical inventions.

It is a circumstance worthy of remark that three or four of America's greatest men took a profound interest in Rumsey's experiments. Among these were Washington, Jefferson, Patrick Henry and Franklin. At home, however, in Shepherdstown, Rumsey was known as "crazy Rumsey." Verily, "a prophet is not without honor save in his own country"!

After the Revolutionary war, Rumsey settled at Bath, Virginia, now Berkeley Springs, West Virginia. Washington was in the habit of spending the summer at these springs, then known as "Hot Springs" or "Warm Springs," and owned and occupied a summer residence there. He fell in with Rumsey and saw in this poor inventor a genius capable of projecting "a discovery of vast importance." He witnessed Rumsey's first experiment by daylight on the Potomac river near the mouth of Sir John's run in Morgan county, Virginia, now West Virginia, on the 7th day of September, 1784. Washington thereupon gave Rumsey a certificate as follows:

WASHINGTON'S CERTIFICATE.

"I have seen the model of Mr. Rumsey's boat, constructed to work against the stream, examined the powers upon which it acts, been the eye witness to an actual experiment in running water of some rapidity and give it as my opinion, although I had but little faith before, that he has discovered the art of working boats by mechanism and small manual assistance against rapid currents; that the discovery is of vast importance; may be of the greatest usefulness in our inland navigation, and if it succeeds, of which I have no doubt, that the value of it is greatly enhanced by the simplicity of the works; which when seen and explained, may be executed by the most common mechanic.

"Given under my hand at the Town of Bath, County of Berkeley, in the State of Virginia, this 7th of September, 1784.

"GEORGE WASHINGTON."

This certificate has been misrepresented or misunderstood. It will be observed that Washington does not mention the word

"steam" at all, and this fact has been made use of to the detriment of Rumsey's claim over Fitch for priority in the invention. Washington's failure, however, to describe the character of the ingenious machinery to which he refers is abundantly explained by his subsequent correspondence. For example, a letter of the 31st of January, 1786, and in another of March 15th, 1785, and in still another of December 3d, 1787, Washington's precaution in not using the word "steam" or "steam power" is plainly elucidated and is attributable to his apprehension that Rumsey's invention would be stolen by parties well known to Washington, as he himself describes them in his letter of December 3d, 1787.

It was this apprehension that induced Rumsey to try his first experiment after night, in the month of October, 1783, on the Potomac at Sir John's run. A few days after he made another nocturnal experiment with much better results and in September, 1784, he made the daylight experiment which was witnessed and testified to by General Washington. These experiments, however, were not with steam, although the use of steam was then conceived, as is proved by the fact that the great inventor applied to the legislature of his native State by petition filed on the 11th of November, 1783, to grant him a monopoly in the use of steamboats for ten years, which grant was at the next session of the Legislature of Maryland, accorded. About the same period the State of Virginia passed a similar act of legislations in favor of Rumsey. These records show conclusively the priority of Rumsey over Fitch in the invention cation of Rumsey's invention to Fitch controversy between these two inventors Fitch dates his own invention in April, 1875, and none of his biographers claim an earlier period. Moreover it is well authenticated that the communication of Rumsey's invention to Fitch was made by Major Michael Bedinger about the time that Rumsey had become somewhat notorious or celebrated in the Valley of Virginia for having applied steam to the propulsion of boats. It can also be substantiated that Fitch visited Rumsey's workshop in Shepherdstown and was warned to desist by the friends of Rumsey under the threat of violence should he refuse to leave the town.

Rumsey met with many difficulties and obstacles in the perfection of his invention. His first boat was carried away by a freshet and broken all to pieces in the Falls of the Potomac below Shepherdstown. It was not until the 3d of December, 1787, that he gave a public exhibition on the waters of the Potomac at Shepherdstown. A large assemblage of his fellow-citizens were congregated to witness the experiment, among them some quite distinguished historical characters, such as General Horatio Gates, General Wm. Darke and others. The inventor would not permit anyone but ladies to go on board in this first experimental trip. General Gates, who was in the throng on shore, kept his eye-glass steadily bearing upon the curiously formed new vessel. When she moved out to the middle

of the stream and then tacking about commenced her course up stream at the rate of three miles an hour, Gates threw up his hat and cried out, "She moves, my God, she moves!" and the crowd took up the echo with wild cheers. In 1787-88 Rumsey went to Philadelphia and succeeded in interesting Benjamin Franklin and other distinguished public men in his invention. They formed what was called the Rumsian Society of which it is said Franklin was president. Rumsey likewise visited New York and went before the Legislature with a petition for a monopoly such as had been granted by the respective Legislatures of Virginia, Maryland, and Pennsylvania. It should be remembered that there was at that time no Patent Office or Patent Bureau organized by the Federal Government, and inventors to protect themselves were compelled to apply to the individual states. Before the Legislature of New York a lively contest arose between the rival inventors, Rumsey and Fitch. The Legislature appointed a committee to investigate their respective claims for priority and that committee after full investigation reported in favor of Rumsey and against their own fellow-citizen, John Fitch. This, as it seems to me, ought to set at rest all questions or controversy as to the first inventor of the steamboat. Those who are curious to learn more of the Rumsey-Fitch controversy may consult the Second Volume of the "Documentary History of the State of New York," where a full account is given of the action taken by the Legislature of that State.

In May, 1788, Rumsey went to London carrying with him letters of introduction from such men as Franklin, Washington, Patrick Henry, and others. While in London he met with Mr. Jefferson and, in the correspondence of that statesman, will be found his hearty approval of the ingenious efforts of Rumsey in the direction of steam navigation.

Rumsey's ill fortune, however, in being very poor followed him in his new field of labor. He built a boat 100 feet long and equipped it with his machinery for steam propulsion. It is said that while on the waters of the Thames the vessel was attached by his creditors. After many efforts, however, he succeeded in interesting a number of ingenious and intelligent mechanics who were organized into a Society of Mechanic Arts. He succeeded in getting an audience at the Hotel Adelphi in the committee room of this "Society of Arts" on the 20th of December, 1792. While preparing to produce his models and explain his invention he was stricken with a sudden and violent pain in the head and almost immediately fell speechless in a fit of apoplexy. It was in this Hotel Adelphi that, surround by sympathizing friends, a few days later the great inventor breathed his last. A short time afterwards, however, his boat was launched and made a successful trip on the Thames at the rate of four miles an hour.

It may be here mentioned incidentally that Rumsey in his cor-

respondence from London mentions having made the acquaintance of an ingenious youth by the name of Robert Fulton. At that time Fulton was engaged in other mechanical experiments and he never dreamt of a steamboat before his acquaintance and association with Rumsey. It is, therefore, beyond question true that Fulton conceived the idea of applying steam to the propulsion of vessels, only after his acquaintance with Rumsey, and the exhibition of Rumsey's great and speccessful invention.

Charles Town, W. Va.

JOHN LAIDLEY.

A biographical sketch of Mr. John Laidley, a long time prominent, active and useful citizen of Western Virginia, now West Virginia. We shall be glad to receive sketches of other prominent citizens who have left honorable names behind them.

John Laidley was born in Morgantown, Monongalia county, Virginia, April 28, 1791, and died in Cabell county, Virginia, April 14, 1863. His grandfather was James Laidlaw, of Ayrshire, Scotland, who married Jane Stewart, August, 1746, and their fourth child was Thomas Laidlaw, born January 1, 1756.

It will be noticed that the original name was Laidlaw, and that it became Laidley, which, it is said, was changed by this Thomas, when he came to America, because he took the side of the American Colonists, while the others of the family remained loyal to King George III, in his controversy with the said Americans, and to distinguish the rebel from the loyal, he called himself Laidley. And it has been said also, that in the Civil war of 1861-65, there was another of the name that took the side of the rebels and changed his name back to Laidlaw, for the same reasons, but whether either of said stories are true ones, or otherwise, we do not vouch.

Thomas Laidley came to New York in September, 1774, and it is said was with Washington at the Brandywine, Trenton and other battles, and commanded some boat on the Delaware, in aid of the rebel army. He was in Philadelphia when the Revolution closed, and he married at Lancaster, Pa., in 1778, Miss Sarah Osborne, daughter of Charles and Sarah Osborne, of Philadelphia, and he removed to and settled in Morgantown, Va., in 1783, and he represented that county in several sessions of the Virginia Legislature and voted with the minority on the passage of the famous Jefferson resolutions of 1798.

John Laidley, whose name was John Osborne Laidley, was raised in Monongalia and was given such education as the country then afforded and as his mother helped him to. He said that while a boy, he worked in a printing office and he could set type and knew the business. We know but little of his young days, and about

the next known of him, he went to Parkersburg, Wood county, and began the study of law, with his oldest brother, James Grant Laidley, who had married Miss Harriet Quarrier, and he was practicing law at Parkersburg.

At the January term of the County Court of Wood county, Virginia, 1813, the said court granted a certificate of good moral character to John Os. Laidley, and that he was a citizen of the State and had resided in that county for the last ten months. With this certificate, he had to apply to three judges of the Superior Courts, and he found them, and secured their signatures to his license to practice law, as follows:

Virginia, to-wit:

Whereas we have been appointed by law to examine into the capacity, ability and fitness of such persons as shall apply for license to practice as Attorneys in the Courts of the Commonwealth, and

Whereas John Os. Laidley, Gent., hath applied to us for a License and produced to us a certificate from the County Court of Wood of his being twenty-one years of age, and of his honesty, probity and good demeanor, and we, having examined him touching his capacity, ability and fitness, and found him duly qualified.

These are therefore to license and permit the said John Os. Laidley to practice as an Attorney at Law in the superior and inferior courts of this Commonwealth.

Given under our hands and seals this 14th day of June, 1813, and in the 37th year of the Commonwealth.

DANL. SMITH. [Seal.]
D. CARR. [Seal.]
JAMES ALLEN. [Seal.]

Dabney Carr, Daniel Smith and James Allen were judges of the General Court, and were each appointed in 1811.

Daniel Smith lived at Harrisonburg, Va.; Jas. Allen, at Clarksburg; and Judge Carr at Charlottesville. It has been said that Daniel Smith had signed more license for lawyers than any judge in Virginia, which does not indicate, however, that he did not give them a thorough examination, for he always ascertained how much, or how little, the applicant knew. His daughter, Mrs. Effinger, said that it always amused her to see how confused the young lawyers became when they came to him to be examined, until he talked their embarrassment away.

Somewhere, John Laidley met with another young lawyer, John Samuels, who lived at or near Woodstock, Va., and who had come west to start in the practice. We are not advised where these two young lawyers came together, but we do know that they remained the most intimate friends all the remainder of their lives.

John Laidley said that he came from Parkersburg to Guyandotte, on a steamboat, and when he reached Guyandotte, he had only fifty cents left, which he paid for his dinner.

John Samuels was a man of more means, and always had money. They had not been long at Barboursville when there was a call for volunteers to defend Richmond from an attack by the Brittish. The War of 1812 was then going on, and those two young men, it is said, started east on foot, and went to the head of the James River and bought a small boat and went to Richmond down the said river in the said boat. They volunteered in Capt. Kennedy's company of Virginia Artillery and remained at or near Norfolk until the end of the war. December 24, 1814, they returned to their adopted home, at Cabell C. H., and John Laidley was appointed Prosecuting Attorney, and John Samuels was made Clerk, by Judge Lewis Summers, and they continued in said offices all their lives, although after the Convention of 1852 they had to be elected by the people.

As a prosecuting officer, Judge Lewis Summers, and Col. Ben. H. Smith and others, have stated that there was no superior to John Laidley.

While living in Barboursville, Mr. Laidley became acquainted with James H. Ferguson, who was then a shoemaker, and it was through the counsel and encouragement and the use of books furnished by John Laidley, that Ferguson became a lawyer, and began his career as such in Logan county.

There were many young men that afterwards read law with John Laidley and became prominent lawyers in this part of the State, viz: James M. Laidley of Kanawha, L. T. Moore, of Kentucky, who lived and practiced in Wayne county; Judge James H. Brown, of Kanawha; Judge H. J. Samuels, of Cabell county, and others.

He had not been living many years in Barboursville before he met Miss Mary Scales Hite, a daughter of Jacob Hite and Sally Scales Hite. She was quite young and fair, and it is said that when he first saw her he said to himself that she was to be his wife, "and it was so." They were married in 1816. Their oldest daughter, Amacetta, was born in 1818, and became the wife of George W. Summers, of Kanawha county.

Col. T. T. S. Laidley, was their oldest son, and he was born in 1822, and he was sent to West Point, U. S. Military School, was in the war in Mexico, and married Miss Jane Webb Averill of New York, in 1848.

The family of John Laidley and wife was a large one, consisting of five girls and nine boys, all of whom have passed over into the next world, excepting Mrs. L. H. Banks, who lives at the homestead, now in Huntington, and W. S. Laidley, of Charleston, W. Va.

John Laidley practiced law in Logan county, which he aided in its organization in 1824, and also in Wayne county, which was organized in 1842. In Cabell and Wayne he continued to practice after his removal to the Ohio river in 1829.

Governor Dinwiddie, by proclamation of Feb. 19, 1754, to encourage enlistments in the service of the Crown, promised land bounties to the volunteers. General Washington, on behalf of himself and others, entitled to bounties, presented a petition to the Governor and Council in 1769, praying that two hundred thousand acres of land, which was given them by said proclamation of 1754, might be allotted them in one or more more surveys on the Monongahela and its waters, from the Long Narrows to the place called Nicholas Knotts, on New River, or Great Kanawha from the falls to the mouth, and from Sandy Creek or Great Tattaroy, from the mouth to the mountain. Among those granted is the one known as "the Savage grant," given to Captain John Savage and sixty-one others, of 28,627 acres of land. This was partitioned among the owners, and laid off in tracts extending from the Ohio river front, back into the hills, and some complaint was made of the inequality of the value of these tracts and the court decreed certain tracts to pay certain amounts to equalize the values and those that did not pay, were sold, and at this sale John Laidley, at the instance of Colonel William Buffington, purchased one tract and moved thereon in 1829. Here he built his house, which faced to the river then, as the road was on the river bank. In 1842, Wayne county was formed, and John Laidley was appointed the Commonwealth's Attorney.

In 1843, Bishop Johns visited the Kanawha Valley, and one of the places he visited was on Stations run, known as the "Still-House" Mission, above Walnut Grove, where Judge Lewis Summers resided, and John Laidley rode to this point and was one of the class then and there confirmed, and then Mr. Laidley immediately afterwards rode home again.

Of this fact Mrs. Dr. Stewart and Mrs. Ann I. Ryon have said they were both present and knew the circumstances related.

It was about this time that the Methodist Church was divided on the subject of slavery, and Mrs. Laidley was a firm Methodist and she also had colored servants, and the consequence was that she and her family that were of this persuasion went with the Southern branch of the Methodist Church. But in regard to the religious views of the family we can better speak after telling of the neighborhood in which they now lived, and of the school and academy started in their midst. This we can tell better by taking an extract from a historical sketch written by Prof. Hodges:

"Marshall Academy was incorporated by Act of the General Assembly of Virginia March 13, 1838, with John Laidley, Frederick G. L. Beuhring, William Buffington, Benjamin Brown, John Sam-

uels, James Gallaher, James Holderby, and others, trustees. The one who may justly be styled the founder of Marshall Academy was John Laidley, a man of great intellectual vigor and force of character. At the time under the principal patronage of Mr. Laidley, a school was in progress in an old log house near his home, conducted by Isaac N. Peck, a man of more than ordinary scholarship. Doubtless the lack of facilities to enable such a teacher to carry on the work that he was competent to do, gave impetus to the movement set on foot by John Laidley to provide a better building. The foremost citizens of the community made a systematic effort to raise funds by private subscription, sufficient to erect a suitable building. James Holderby, a prosperous and liberal farmer and one of the trustees, generously offered to give a suitable lot of ground whereon the building should be erected. The money was raised and soon a commodius two-story brick building of four rooms stood upon the lot set apart by Mr. Holderby. James Holderby and wife conveyed the lot by deed of June 30, 1838.

"John Laidley, a personal friend of Chief Justice Marshall, suggested that the institution be christened 'Marshall Academy' in honor of this great jurist. Mr. Peck was installed as the first Principal, with Mr. Shepherd as assistant, and in a short time there were over one hundred students."

In the Academy there was a chapel, and on every Sunday morning the people of the neighborhood met together for religious service. Most of the while there was a Presbyterian minister on one Sunday and a Methodist, of the Southern side, on the next Sunday, but it mattered not who the preacher was, there was always the same congregation of good people, composed of the farmers and families from Guyandott down to near Twelve Pole creek, some seven or eight miles below, and the Academy was a little more than two miles below Guyandotte.

John Laidley and his family attended regularly at the Academy chapel and aided in the support of the minister, whoever he might be. The character of John Laidley was that of a stern, strict man; whose word was equal to a government bond, and his integrity of the highest order. He was at home in any church where the Gospel was preached and the Christian religion taught, and his social views were governed to a great extnt by his moral and religious feelings, and while he appreciated refined and educated associations, yet any one who was a sincere Christian, was treated with the greatest respect, while any one that he thought lacked either integrity or morality, he had no use for.

And as a Prosecuting Attorney, he was a terror to evil doers. It is not known whether Mr. Laidley ever joined any other church or not, as there were no services of the Episcopal Church in his vicinity. It is known that his library had therein many prayer-books and sermons by Episcopal ministers, and his library, law and mis-

ellaneous, was the largest of any one in the county in which he lived.

He was a Jeffersonian Democrat, and his last vote for a President was for Breckenridge in 1860.

He was a member of the Virginia Convention in 1829-30, and was also a member of the Legislature of Virginia.

He was a busy lawyer and gave his whole time to his profession, and was well known all over the country.

He was devoted to his family, and his whole life was one of great labor, to educate and care for his children.

The passage of the Ordinance of Secession by the Virginia Convention was an act he believed to have been without warrant or justification and that the South was hasty and did wrong.

With him, this Government was a God-given institution, and he had not the least idea that it would be destroyed, and he felt that the Act of Secession meant a war that would be destructive to the South. He was a conscientious Union man, and his course was to prevent the passage of the Ordinance, and after its passage, to defeat it before the people, and then to prevent personal difficulties and to have those inclined to fight, to go to the armies and there fight it out, and to let non-combatants alone.

He did not live to see the new State formed. There was much that worried and distressed him connected with the Civil War; he saw that there was to be a severe conflict and a great loss of life and property, but he never doubted the result, because he believed that the hand of God was in it; but it distressed him to see his friends on either side become bitter to others, and it also distressed him to know that his own family was divided upon the subject.

He was taken sick early in April, 1863, and died with pneumonia, but the approach of death had no terrors for him, and he met it with a smile upon his face. To him, death was but a transition to a place of rest, and when he saw he must go, he went cheerfully.

John Laidley was one of the old style, simple in his manner and in his wants, but a man of much study and reading, and if he had a fault, it was that of his stern, strict character and habits, which no doubt was inculcated by the profession and business of his life, punishing the vicious and violators of the law.

In his early days he was a member of a Masonic Lodge, but in his later life he never attended their meetings.

There was never a man who more completely commanded the respect of the entire people of his community and of all who knew him. He had the courage of his convictions and all knew that he meant what he said and lived what he taught and said.

THE WILD PIGEON.

What has become of them? All whose memory can carry them to the years "befo de wah" will probably recall most vividly the immense flights of wild pigeons that darkened the skies, day after day, as they passed to winter quarters further South and whose seemingly endless flock and incomputable numbers aroused the wonder of everyone. It did seem as if their extinction, or even diminition, would be the work of centuries and would equal in difficulty the famed labors of Hercules. But what has become of them?

I have penetrated the ranges of the Rocky Mountains at all seasons and they are not there. They pass no more over the wide plains of Colorado and Kansas, if they ever did, they are not seen now, over the rich grain fields and prairies of Missouri, Illinois, Indiana, or Ohio. They swarm and roost on none of the slopes of the Alleghany or Blue Ridge Mountains, as of yore. We hear no more about them from North, South, East or West and it seems as if they had entirely disappeared from the earth.

I recall distinctly the great "skinnish line" that filled the fields around Louisville, Ky., in the fall of 1859, and which met with such reckless courage and advance of the great army of wild pigeons, that swarmed down from the North. For days there was the constant sound of battle a ceaseless roar of guns, sad precussor as it now seems of a more disastrous invasion, and a bloodier war. We slew our thousands and tens of thousands, but their numbers seemed undiminished, and the invasion unchecked.

In 1863 I visited a pigeon roost in central Kentucky, and it was a sight never to be forgotten. It extended over many acres of forest and millions seemed to have gathered there. There was a constant cracking and breaking of the too heavily laden branches. Thousands of birds were fluttering in the air and on the ground, with a noise as of a tornado. Men and boys were threshing them down with sticks; and these with the flash of torch and lantern, and the roar of guns, made up a scene and sound seldom equalled. Our party carried home two large sacks full of dead birds on our horses, and many others did the same. The last great flight I ever saw or heard of was in 1873, on the western slope of the Alleghany Mountains in West Virginia, on the headwaters of Gauley river and in that section known as the "Yew Pine" Mountains. Our hunting club was taking its fall outing in that region, and one Sunday afternon while all were gathered in camp, we heard the sound as of a mighty rushing wind, and looking up we saw above us the vanguard of a great army of wild pigeons. The flight continued for some two hours, flock after flock passing over, many

extending beyond the sight east and west and seeming to be a mile or more in width. Morning and evening for several days they passed over our camp, going to and returning from their feeding grounds. We killed and salted down nearly a barrelful, which we brought home to Charleston, W. Va., and distributed among our friends. It was the last chance for "pigeon pie" they ever enjoyed.

In 1876-7, while riding horseback among the hills about four miles above Charleston, and about one and a half miles back from the Kanawha river, I saw a small flock that I estimated at about forty. They were the last I have ever seen or heard of.

Again, I ask, what has become of them? Have they passed into history with the great auk, dodo, and mammoth, or have they preceded the buffalo to "the happy hunting grounds" of the red man? Can any one of our naturalists tell us?

Taking together their seemingly exhaustless numbers, and their sudden and total disappearance, this becomes an interesting historical question, and one that is especially appropos to West Virginia, through whose mountains and valleys they once swarmed more thickly than anywhere else probably, and on whose mountain slopes the last great flight was seen.

WALTER B. BROOKS.

FIRST SETTLERS OF WEST VIRGINIA.

[Some history of early settlements and land grants in West Virginia by W. S. Laidly, Esq., who has devoted much study to the subject. A long list of names is given, perhaps most of the settlers of the time.

It is rare that so many names of the early settlers of any region can be gotten at this day. Their descendants, who were legion, overflowed to the Ohio and Kanawha Valleys, and went to help build up several Western States, especially Ohio, Indiana, Illinois and Missouri.]

There has been some discussion on this subject through the publications of the West Virginia Historical Society and there may be more. It is not now our purpose to continue here this discussion, but to speak by the records of those that were among the earliest, if not the first settlers.

Spottsylvania county was formed in 1720. Orange in 1734; Frederick was established by law in 1738, but was not organized until 1743. Berkeley county was founded in 1772, and Jefferson in 1801.

Hampshire and Hardy were included in Frederick county. It is known that in 1732, that Jost Hite with sixteen families went into

the Shenandoah Valley and from that date there has been a record kept and the settlement reaches back to that date, beyond question, with the further question, of whether there was others there before that date, unsettled.

The first patent or grant of land west of the Blue Ridge was made to Jost Hite, 20 Aug. 1734,—see Grant Book No. 15, page 276. In this grant, it is said, that it is designed to be included in a county to be called Orange, being part of the forty thousand acres purchased by the said Jost Hite from Isaac and John Van Meter, who had obtained orders of our said Lieutenant-Governor, in Council, to take up the same, upon certain conditions therein expressed, which orders were made June 17, 1730. The grant to Hite was for one thousand and twenty acres (1020).

Then follows a large number of other grants to others, "designed to be included in a county to be called the county of Orange, being part of the forty thousand acres purchased by Jost Hite from Isaac and John Van Meter, who had obtained orders from our said Lieutenant-Governor, in council, to take up the same upon certain conditions therein expressed, which orders were made the seventeenth day of June, 1730."

The assignment of the said "orders" was made to Hite and Hite had the surveys made, and the surveyor was Col. James Wood, afterwards Clerk of the Court of Frederick, and these surveys were assigned by Hite to those who purchased of him, and the grants were issued directly to the said purchasers, with the above clause therein, which designates the same as purchasers of Hite, of the 40,000 acres, he obtained from Van Meter

Grant to John Smith, 420 acres on Turkey Spring of Opeckon creek, dated 21 Aug., 1734; grant to Rus Smith, 150 acres, 21 Aug., 1734; grant to Henry Willis, 2030 acres, on Stony Lick and dated Aug. 21, 1734; grant to Thomas Shepherd, 220 acres, Oct. 3, 1734; grant to Samuel Taylor, 200 acres, on South side of the Cohongolulu, dated 3 Oct. 1734; to Thomas Johnson, 150 acres, on Turkey Spring of Opeckon, dated Oct. 3, 1734; to William Jasper, 62 acres, on Opeckon Run, dated Oct. 3, 1734; to Neil Thompson, 139 acres, dated 3 Oct., 1734; to Isaac Pennington, 500 acres, dated 3 Oct., 1734 to Richard Pendall, 300 acres, dated Oct. 3, 1734; to Stephen Hollingsworth, 472 acres, dated Oct. 3, 1734; to John Welton, 442 acres, Oct. 3, 1734; to Israel Froud, 300 acres, Oct. 3, 1734; to Robert McKay, Jr., 828 acres, Oct. 3, 1734, to Peter Woolf, 600 acres, Oct. 3, 1734; to Samuel Morris, 378 acres, dated Oct. 3, 1734; to David Perkins, 519 acres, Oct. 3, 1734; to William Jay 100 acres, Oct. 3, 1734; to Richard Morgan, 210 acres, Oct. 3, 1734; to Richard Morgan, 290 acres, Oct. 3, 1734; to Thos. Johnson, 298 acres, Oct. 3, 1734; to John Van Meter, 885 acres, Oct. 3, 1734; to George Williams, 489 acres, Oct. 3, 1734; to Daniel Burnett, 490 acres, Oct. 3, 1734; to Josiah Jones, 164 acres, Oct. 3, 1734; to Benjamin

Jorden, 1142 acres, Oct. 3, 1734; to Thos. Branson, 1370 acres, Oct. 3, 1734; to William Vestal, 285 acres, Oct. 3, 1734; to Morgan Bryant, 1250 acres, Oct. 3, 1734; to Paul Williams, 270 acres, Oct. 3, 1734; to Abraham Pennington, 600 acres, Oct. 3, 1734; to Isaac Garrison, 1000 acres, Oct. 3, 1734; to Robert Slaughter, 536 acres, in Spottsylvania; to Peter Stephen, 600 acres, Oct. 3, 1734; to Geo. Bowman, 100 acres, Oct. 3, 1734; to Richard Paulson, 834 acres, Oct. 3, 1734; to Robert Worthington, 3000 acres, Oct. 3, 1734; to Morgan Morgan, 1000 acres, on the ———— branch of the Opeckon, between the lands of John Mills and ———— Hobzson, dated 12 November, 1735; to Alexander Ross, 2373 acres, 12 Nov. 1735.

The following is a list of grantees of lands conveyed by Jost Hite and recorded in Orange county, before the county of Frederick was organized:

On March 24, 1736, there were deeds recorded to Stephen Hunsonbeller, Christian Nisoranger Thos. Wilson, Jno. Van Meter, Thos. Chester, Lewis Staffy, Robt. Dorarie, Geo. Harris. On Oct. 27, 1737, deed to Jno. Leamen. On April 27, 1738, dated to James Wood, and to William Williams, Jacob Neswanger, Lewis Stephens. In Feb., 1739, to Hendery Hunt, Christian Blank. In May, 1740, to Peter Writtenhouse, Jacob Christman, John Hite, William Reed, Jno. McCormick, Samuel Walker, Chas. McDowell and James Beans in 1741. In 1742, Robert Allen, Jno. Harron, Geo. Hite, David Vance, Jas. Hoge, Abraham Wiseman, James Vance, Peter Make, Jacob Hite, John Peuter, Thos. Bronson, Samuel Glass, David Logan, Fred Forman, Nath Thomas: To Emanuel Grubb in 1743, and John Grubb, Thos. Ashby, Wm. Brock, Robt. McKay, and Abraham Hite in 1744.

We have endeavored to not repeat the names either on the grants or on the deeds. It will be noticed that there were deeds recorded in Orange in 1743, and 1744, and Fredrick Co. was organizen in 1743, where it would be supposed that deeds would be recorded after that date.

In 1748, Thomas, Lord Fairfax sent George Washington to Frederick county to survey lands for him, which surveys were made and a record kept thereof.

A most remarkable thing, for a boy only sixteen year old to be a competent surveyor, but more remarkable that he would go away out in a new country, infested with Indians, with few of the conveniences of civilization, where he was not known.

He made surveys in 1748 and 1750, and the following are those for whom he made such surveys, viz: Jno. Anderson, Jona Arnold, Capt. Thos. Ashby, Henry Ashby, Robt. Ashby, W. M. Baker, Cal. Blackburn, Capt. Marques Calmes, Maj. Andrew Campbell, Jacob, Peter and Samuel Camperlin, F. Carney Thos. Carney, Richard Carter, John Collins, Thos. Colston, Jno. Cozen, Wm. Crawford, Col. Thos. Cresop, Ralph Croft, N. Daughily, Wm. Davis, I. Fos-

ter, Robt. Fox, James Green, George Joseph, Richard and Thomas Hampton, Henry Harris, Joshua Haynes, Col. Hedges, Hy Hendricks, Geo. Horner, Jo. Howt, Samuel, Isaacs, Jno. Johnson, Abraham Johnson, Capt. Geo. Johnston, Thos. Johnston, Wm. Johnston, Thos. Jones, Isabella Jeomp, Jno. Keeth, T. Keys, Samuel Kinsman, Jas. Kinsman, John Lindsay, Thos. Lofton, Thos. Lofton Jr., Timothy McCarty, Th. McClanahan, Dr. Jas. McCormick, Darby McKean, Daniel McKledoff, John Maddin, P. Mathews, Jno. Miller, Ed. Musgrove, Jno. and Ed. Musgrove, Geo. Neavil, Isaac Pennington, Andrew Pitts, Chas. Polk, Hugh Rankon, P. Rice, Thos. Rutherford, Reuben Rutherford, James Rutledge, Stephen Sebastian, John Sheely, Walter Sherley, Geo. Smith, Hannah Southard, Stephen Southard, Richard Stephenson, Robt. Taylor, Lewis Thomas, Nathaniel Thomas, Owen Thomas, John Orton, A. Vance, J. Vance, Hy. Van Meter John Vestal, Wm. Vestal, Samuel Walker, Lawrence Washington, Wm. Wiggons, Jno. Woods, Robt. Worthington.

From Norris His, of Lower Valley, while he does not admit they are the first settlers, yet the full names he is able to give, or does give, are as follows:

Yost Hite, John Hite, Jacob Hite, Isaac Hite, Abraham Hite, and there was also Joseph Hite, Geo. Bowman, Jacob Chrisman, Paul Froman, Lewis Stephens and Robt. McKay. There were others that then in 1732 that came, but their names are not known.

In 1734, there are mentioned, Robt. Harper, Thos. Shepherd, Richard Morgan, Wm. Strope, Israel Fiend, Thos. and William Forrester, Thos. and Van Swearingen, Ed Lucas, James Foreman, Robt. Stockton, Robt. Buckles, John and Samuel Taylor, Jno. Wright.

In 1738 the Vances, Glasses, Hoges, Wilsons, Frys, Allens, Johnstons and others, came and settled about the Opequon Presbyterian church, above Winchester. There was another settlement of Quakers in another vicinity, viz: the Perkinses, Luptons, Walkers, Beesons, Barretts, Neets, Dillons, Fawcetts and others.

This, perhaps, will be sufficient to show that after 1732, this part of the country settled up very rapidly, and the above brings us down to about 1750.

In 1754, Washington was sent with Col. Fry to the west of the Alleghenies with a small army. On July 3, 1754, he encountered the French and was willing to surrender, and get away alive, and leave the French in possession of Fort Necessity, which he had constructed.

Washington made a list of the names that were entitled to pay, for services in the campaign, viz: Col. Joseph Fry, Col. Adam Stephen, Col. Geo. Muse, Col. Geo. Mercer, Capt. Robt. Stobo, Capt. Jacob Vantraam, Col. Andrew Lewis, Capt. Peter Hogg, Mr. Andrew Waggoner, Jno. West, Lt. John Savage, William Polson,

Capt. Wm. Bronaugh, Dr. James Craik, James Towers, William Wright, Capt. Thomas Bullitt, Robt. Langdon, Robt. Tunstall, Richard Trotter, John David Wilpper, Wm. Johnston, Hugh McRoy, Richard Smith, Angus McDonald, Nathan Chapman, Joseph Gatewood, James Samuels, Michael Scaily, Edw. Goodwin, William Baily, Henry Baily, Wm. Copland, Math. Doran, Jno. Ramsey, Chas. James, Math. Cox, Marshall Pratt, John Wilson, Wm. Johnston, John Wilson, Nath. Barrett, David Gorman, Patrick Galoway, Timothy Conway, Chris. Bomgardner, John Maid, John Huston, James Ford, Wm. Broughton, Wm. Carnes, Edw. Evans, Thos. Moss, Math. E. Jones, Phil. Gatewood, Hugh Paul, Daniel Staples, Wm. Lowry, James Ludlow, James Lafort, James Gwynn, Joshua Jordan, Wm. Jenkins, Jas. Cammack, Richard Morris, John Golson, Robert Jones, Wm. Hogan, John Franklin, John Bishop, Geo. Malcomb, Wm. Coleman, Richard Bolton, John Smith, George House, John Cincaid, And. Fowler, Thos. Napp, Arthur Watts, Jesse May, Francis Self, Robt. Stewart, Robt. Murphy, Alex. Borrey, Wm. Horne, Wm. McAulty.

It is not pretended that these are all the men that were with Washington, at Fort Necessity, in 1754, for we know of others that were there, who are not mentioned. Some that were recommended by Washington for promotion.

The next list of importance that we have, is the list of voters in Frederick county. Washington was in this county after the defeat of Braddock in 1755, constructing Fort London, in Winchester, and remained there for some time. He was a candidate for the House of Burgesses, in this county three times, in the years 1757, 1758 and 1761. In the year 1757, the vote stood:

For West, 271.
For Swearengin, 270.
For Washington, 40.

In the year 1758, the vote was,

For Washington, 310.
For Martin, 240.
For West, 149.
For Swearingin, 45.

In the year 1761 the vote was as follows:

For Washington, 505.
For Mercer, 399.
For Stephens, 294.

We have a list of the voters for the year 1758. Each voter had a right to vote for two men, and those two that received the largest vote, were elected. It is said that in 1757, when Washington was defeated that he took no trouble or expense to obtain votes, but stood on his dignity, relying on his merit, and that he was not elected, but in the subsequent years, he added to his merit, the accustomed habit of "treating" and that his receipt for a full

barrel of whiskey is extant. The list of voters, contained 443 names, and of course, at that time, they were all freeholders. Some voted for two of the candidates, but many were satisfied with voting but for one. The first 310 names are those that voted for Washington.

The vote of Frederick county, Virginia, taken July 24, 1758. Those voting were:

Robert Ashby, Thos. Ashby Robt. Allen, John Ashby, Stephen Ashby, Rev. John Alderson, John Allan, John Arnold, James Burn, Dennis Bon, Christopher Beilee, Andrew Blackburn, James Ballenqu, Jacob Barnes, Jno. Bombgardner, Sam'l Blackburn, Thos. Bobb, Charles Baker, Sam'l Beam, Reynold Baldwin, Ric'd Barbee, John Blair, Jacob Bowman, Geo. Bower, Henry Bibor, Marlen Black, Philip Bobb, James Burns, William Baldwin, Joseph Burdon, James Blair, Henry Brinker, Chas. Barnes, James Barrett, Jno. Briscoe, Thos. Bobb, (son of Phil.) Geo. Bruce, Henry Bowen, Thos. Bobb, Jr., Peter Bobb, Joseph Bobb, Bryan Bruin, John Buckley, Jacob Barrett, Joshua Baker, Col. John Carlyle, Doctor James Waik, Wm. Cochran, And'w Calvin, Marlen Cryler, Simon Carson, Christian Clark, David Chester, Jacob Cochener, Thos. Chester, John Cook, Henry Cloud, Nath'l Carr, Mathew Coleman, Edward Corder, Wm. Cramley, Robt. Cunningham, John Cromley, Joseph Calvin, Jacob Cowper, Thos. Carney, Wm. Cox, Valentine Crawford, John Colston, Thos. Cooper, Jno. Chinowith, Wm. Doil, Jas. Catrer, Jr., Edw. Cartmell, Wm. Carrell, James Catlet, Fred'k Conrad, Nath'l Cartmell, Joseph Combs, Wm. Chambers, Chas. Dick, John Dyer, Edward Dodd, David Dedrick, Thos. Doster, Jno. Don, Patrick Duncan, Isaac Evans, Wm. Evans, Joseph Edwards, Jr., Wm. Ewings, Thomas Lord Fairfax, Paul Froman, Rich'd Foley, Abraham Fry, Jacob Fry, Joseph Fry, Benj. Fry, Henry Funk, Martin Funk, Joseph Fossett, Samuel Fry, Joseph Funk, John Funkhauser, Rich'd Fossett, Wm. Frost, Mathias Funk, Geo. Farrar, Isaac Foster, Col. Geo. Wm. Fairfax, John Fossett, Capt. John Funk, John Glenn, David Glass, James Grinnan, Wm. Glorer, Wm. Gaddis, Jos. Glass, Robert Glass, John Grinnan, Christ'r Grable, Philip Glass, Adam Hunter, Noah Hampton, John Harbinger, Rev. John Hoge, Geo. Hardin, John Honsman, James Hoge, Jr., Henry Heth, Geo. Henry, Nich's Hanshaw, Thos. Hart, Robert Harper, Geo. Huddle, Muette Handly, John Harrom, John Hope, Jacob Hite, Col. John Hite, Isaac Hite, Peter Jordan, Aaron Jenkins, Daniel Johnston, Robt. Johnston, Gent., Stephen Johnston, Joseph Jones, John Jones, Wm. Jalleffe, Jr., Gabriel Jones, Gent., Geo. Keller, James Knight, Fielding Lewis, Esq., Thos. Lemon, Joseph Lupton, Wm. Lupton, Edward Lucas, Samuel Littlu, James Loyd, And'w Longaai, Joseph Langdon, Geo. Mich. Lonenger, Francis Lilburn, Geo. Lochmillet, Isaac Laren, Robt. Lemon, Rev. Wm. Meldram, Wm. McGee, David Miller, Robt. Marney, Jos. McDonnell, David Morgan, Wm. McMahan, Rich'd McMahan, John Mil-

burn, James McGill, Robert McCoy, Jacob Morgan, Laughlen Maddin, Jos. McCormick, John Maddin, James McCormick, John McCormick, Henry Moore, Gent., Robt. Milburn, Darby McCarty, W. M. Monger, Wm. Miller, Thos. Mason, Darby Murphy, Pat. McDaniel, Lewis Moore, Geo. Nevil, Sam'l Odle, Isaac Perkins, Nich's Urinceller, Michael Poker, Wm. Patterson, Geo. Paul, Chas. Perkins, Lawrence Pence, Wm. Pickering, Jesse Pugh, Thos. Postgate, Josiah Pemberton, Joseph Parrell, Jno. Parrell, Peter Perry, Philip Poker, Thos. Perry, Azariah Pugh, Jonathan Perkins, Wm. Russell, Jno. Road, Capt. Robt. Rutherford, Thos. Reece, Jacob Reece, Henry Rinker, Geo. Ross, Patrick Rice, Edward Rice, Geo. Rice, Wm. Reynolds, Isaac Reddell, Henry Reece, Wm. Roberts, Wm. Roberts, Jr., Jno. Reed, Ulrich Rubble, Cornelius Ruddell, Lt. Charles Smith, John Smith, Peter Stephens, Jno. Snap, Jno. Snap, Jr., Daniel Storer, Henry Stpheny, Jacob Stricklen, Benj. Stricklen, David Snodgrass, Jno. Snodgrass, Sam'l Smalsolfu, Nich's Schracks, Ulrich Stoner, Robt. Stewart, Jacob Sowers, John Seamen, Jno. Strickly, Jno. Serrall, Jacob Sebert, Joseph Strickler, David Shepperd, Jno. Small, Thos. Shepperd, Lewis Stephens, Jacob Stover, Dennis Springer, Rich'd Stephenson, Edw. Snickey, Law. Snap, Robt. Stewart, Daniel Stephens, John, Wilkinson, Robt. Wathington, Ralp Withers, Jno. Wilson, Jno. Wright, Wm. White, John Young, John Anderson, Josiah Ballenger, Robt. Buckles, Thos. Cordooy, Geo. Hampton, Simeon Hyatt, Jos. Horner, Jonas Hedge, John House, Sam'l Isaacs, John Keywood, James Lindsay, Thos. London, Edmund Lindsay, John Mengenhall, Morgan Morgan, Jr., Jacob Moon, Samuel Pearson, Job Pugh, Geo. Pemberton, Thos. Shoake, John Stroud, Joseph Thompson, Evans Thomas, Samuel Taylor, Anthony Turner, Anthony Turner, Jr., Edw. Thomas, Owen Thomas, John Taylor, Magnus Tate, John Vestal, Jacob Van Metre, Henry Van Metre, Col. James Wood, Alex. Woodrow, Gent., Jas. Wright, Joseph Wilkinson, John Stroud, Alex. Vance, John Van Meter, Abram Van Meter, William Wilson, John Armstrong, Tobras Benk, John Bentley, John Burden, Geo. Bowman, Samuel Baldwin, Benj. Blackburn, John Becket, John Baylis, Chas. Buck, Jas. Sarter, Wm. Chaplin, Thos. Catron, Thos. Calston, James Cromley, Wm. Calmes, Wm. Duckworth, Henry Easton, Thos. Ellis, John Fife, Martin Funk, Edw. Griffith, Jacob Gibson, Stpehen Hotzenbell, Robt. Halfpenny, Godfrey Humbert, Thos. Hampton, Robt. Haines, James Hoge, Thos. Helms, Wm. Helms, order of Congress to be kept wherever they sit, and the other by Richard Hyland, John Lemon, Nich. Lemon, John Leith, Henry Loyd, John Lindsay, Robert McCoy, Richard Mercer, Mayberry Maddin, Col. Wm. Morgan, Richard Morgan, Jacob Miller, Edw. Mercer, Jr., Jno. Nisoranger, Alex. Ogleby, John Painter, Robert Pearis, Thomas Pugh, Samuel Pritchard, Joseph Roberts, Edw. Rogers, Geo. Strode, Lawrence Stephens, Thos. Sharp, Jere Smith,

Peter Stover, Wm. Stephenson, Geo. Stein, Jno. Thomas, Ellis Thomas, Harrison Taylor, Zebulon Tharpe, Simon Taylor, James Vance, Samuel Vance, And. Vance, John Vance, John F. Vaniagan, David Vance, Joseph Vance, Wm. Vance, Peter Woolf, Isaac White, Geo. Whitzel, Robert Wilson, Geo. Wright, Jacob Wright, David Wright, Chris. Wendall, James Wilson, Robert Wilson, Jr., Thos. Wilson, Val. Wendall, Thos. Waters, Wm. Wilson, Robert Worth.

VISIT TO WASHINGTON.

The following letters are extracts from the manuscript diary of an English gentleman, Mr. Hunter, who came to America in 1785 and visited Washington at Mount Vernon. They give a very graphic description of the home life of Washington at that time. The letters were presented to our Historical Society by Mr. Evan Powell, of Powellton, W. Va.

Extract from the dairy of Mr. Hunter.

STATE OF VIRGINIA, ALEXANDRIA.
Wednesday 16th of Nov'r, 1785.

After breakfast I waited on Colonel Fitzgerald. A fire that had broken out in the town hindered us from getting off so soon as we intended. However, after some trouble it was extinguished and a at half past eleven we left Alexander with Mr. Lee, the president of Congress, his son and the servants. You have a fine view of the Potomac till you enter a wood. A small rivulet here divides the General's estate from the neighboring farmers. His seat breaks out beautifully upon you when you little expect, being situated upon a most elegant rising ground on the banks of the Potomac, 10 miles from Alexandria. We arrived at Mt. Vernon by one o'clock—so-called by the General's eldest brother, who lived there before him, after the Admiral of that name. When Colonel Fitzgerald introduced me to the General I was struck with his noble and venerable appearance. It immediately brought to my mind the great part he had acted in the late war. The General is about six feet high, perfectly straight and well made; rather inclined to he lusty. His eyes are full and blue and seem to express an air of gravity. His nose inclines to be the aquiline; his mouth small; his teeth are yet good and his cheeks indicate perfect health. His forehead is a noble one and he wears his hair turned back, without curls and quite in the officers style, and tyed a long queue behind. Altogether he makes a most noble, respectable appearance, and I really think him the first man in the world. After having had the management and care of the whole Continental Army, he has now retired

without receiving any pay for his trouble, and though solicited by the King of France and some of the first characters in the world to visit Europe, he has denied them all and knows how to prefer solid happiness in his retirement to all the luxuries and flattering speeches of European Courts. The General was born and educated near Fredericksburg on the Rappahannock. He must be a man of great abilities and a strong natural genius, as his master never taught him anything but writing and arithmetic. People came to see him here from all parts of the world—hardly a day passes without; but the General seldom makes his appearance before dinner; employing the morning to write his letters and superintend his farm, and alloting the afternoon to company: but even then he generally retires for two hours between tea and supper to his study to write.

He is one of the most regular men in the world. When no particular company is at his house, he goes to bed always at nine and gets up with the sun. It's astonishing the packets of letters that daily come for him, from all parts of the world, which employ him most of the morning to answer, and his Secretary, Mr. Shaw, (an acquaintance of mine) to copy and arrange. The General has all the accounts of the war yet to settle. Shaw tells me he keeps as regular books as any merchant whatever, and a daily journal of all his transactions. It's amazing the number of letters he wrote during the war:

There are thirty large folio volumes of them upstairs, as big as common ledgers, all neatly copied. The General is remarkable for writing a most elegant letter. Like the famous Addison, his writing excels his speaking. But to finish this long digression, when I was first introduced to him he was neatly dressed in a plain blue coat, white cassimere waistcoat, and black breeches and boots, as he came from his farm. After having sat with us some time he retired and sent in his lady, a most agreeable woman about 50, and Major Washington, his nephew, married about three weeks ago to a Miss Bassett: She is Mrs. Washington's niece and a most charming young woman. She is about 19. After chatting with them for half an hour, the General came in again, with his hair neatly powdered, a clean shirt on, a new plain drab coat, white waistcoat and white silk stockings. At three dinner was on the table, and we were shown by the General into another room, where everything was set off with a peculiar taste, and at the same time very neat and plain. The General sent the bottle about pretty freely after dinner, and gave success to the navigation of the Potomac for his toast, which he was very much at heart, and when finished will I suppose be the first river in the world. He never undertakes anything, without having first well considered of it and consulted different people, but when once he has begun anything, no obstacle or difficulty can come in his way, but what he is determined to surmount. The Genera's character seems to be a prudent, but a very persevering one.

He is quite pleased at the idea of the Baltimore Merchants laughing at him, and saying it was a ridiculous plan and would never succeed. They begin now says the General, to look a little serious about the matter, as they know it must hurt their commerce amazingly.

The Colonel and I had our horses ready after dinner to return to Alexandria, and notwithstanding all we could do, the General absolutely insisted upon our staying on account of the bad afternoon. We therefore complied, (although it was fully my intention to have set off either to Fredericksburg in my way to Mr. McCall's, in the stage, if the morning was fine, and if not, most certainly back again to Baltimore) as I could not refuse the pressing and kind invitation of so great a General, tho' our greatest enemy, I admire him as superior even to the Roman heroes themselves.

After tea, General Washington retired to his study and left us with the President, his lady and the rest of the company. If he had not been anxious to hear the news of Congress from Mr. Lee, most probably he would not have have returned to supper, but gone to his bed at his usual hour, nine o'clock, for he seldom makes any ceremony. We had a very elegant supper about that time. The General with a few glasses of champagne got quite merry, and being with his intimate friends laughed and talked a good deal. Before strangers he is generally very reserved, and seldom says a word. I was fortunate in being in his company with his particular acquaintances. I am told during the war he was never seen to smile. The care indeed of such an army was almost enough to make anybody thoughtful and grave. No man but the General could have kept the army together without victuals or clothes; they placed a confidence in him that they would have had in no other person.

His being a man of great fortune and having no children showed them it was quite a disinterested part that he was acting with regard to money making and that he had only the good of his country at heart. The soldiers, tho' starving at times, in a manner adored him.

We had a great deal of conversation about the slippery ground (as the General said) that Franklin was on, and also about Congress, the Potomac, improving their roads, etc. At 12 I had the honor of being lighted up to my bedroom by the General himself.

I rose early and took a walk about the General's grounds—which are really beautifully laid out. He has about 4,000 acres well cultivated and superintends the whole himself. Indeed his greatest pride now is, to be thought the first farmer in America. He is quite a Cincinnatus, and often works with his men himself—strips off his coat and labors like a common man. The General has a great turn for mechanics. It's astonishing with what niceness he directs everything in the building way, condescending even to measure the things himself, that all may be perfectly uniform. The style of his

house is very elegant, something like the Prince de Conde's at Chantill, near Paris, only not quite so large; but it's a pity he did not build a new one at once, as it has cost him nearly as much repairing his old one. His improvements I am told are very great within the last year. He is making a most delightful bowling green before the house and cutting a new road thro' the woods to Alexandria. It would be endless to attempt describing his house and grounds—I must content myself with having seen them. The situation is a heavenly one, upon one of the finest rivers in the world. I suppose I saw thousands of wild ducks upon it, all within gun shot. There are also plenty of blackbirds and wild geese and turkies. After breakfast I went with Shaw to see his famous racehorse Magnolia—a most beautiful creature. A whole length of him was taken a little while ago, (mounted on Magnolia) by a famous man from Europe in copper—and his bust in marble—one by the State of Virginia, to stand in the House of Assembly. They will cost about 6,000 sterling, Shaw says. He also showed me an elegant State carriage, with beautiful emblematical figures on it, made him a present of by the State of Pennsylvania. I afterwards went in to his stables, where among an amazing number of horses, I saw old Nelson, now about 22 years of age, that carried the general almost always during the war; Blueskin another fine old horse next to him, now and then had that honor. Shaw also showed me his old servant, that was reported to have been taken, with a number of the General's papers about him. They have heard the roaring of many a cannon in their time. Blueskin was not the favorite, on account of his not standing fire so well as venerable old Nelson. The General makes no manner of use of them now; he keeps them in a nice stable where they feed away at their ease for their past services. There is a horse of Major Washington's there that was reckoned the finest figure in the American army. It's astonishing what a number of small houses the General has upon his estate for his different workmen and negroes to live in. He has everything within himself—carpenters, bricklayers, brewers, blacksmiths, bakers, etc., etc., and even has a well assorted store for the use of his family and servants.

When the General takes his coach out he always drives six horses; to his chariot he only puts four. The General has some fine deer, which he is going to enclose a park for—also some remarkable large fox hounds, made him a present of from England, as he is fond of hunting, and there are great plenty of foxes in this country. I forgot to mention Mrs. Washington's sweet little grandchildren, who I imagine, will come in for a share of the General's fortune with the Major. I fancy he is worth 100,000 pounds sterling and lives at the rate of 3 or 4,000 a year; always keeping a genteel table for strangers, that almost daily visit him as a thing of course. There is a fine family picture in the drawing room of the Marquis

de La Fayette, his lady and three children, another of the General with his marching orders, when he was Colonel Washington in the British army against the French in the last yar; and two or Mrs. Washingtons children; her son was reckoned one of the handsomest men living; also a picture of Mrs. Washington when a young woman.

The General has some hundreds of negroes on his plantations. He chiefly grows Indian corn, wheat and tobacco.

Its astonishing with what raptures Mrs. Washington spoke about the discipline of the army, the excellent order they were in superior to any troops we said upon the face of the earth towards the close of the war; even the English acknowledge it, she said. What pleasure she took in the sound of the fifes and drums, preferring it to any music that was ever heard; and then to see them reviewed a week or two before the men were disbanded, when they were all well clothed was she said a most heavenly sight; almost every soldier shed tears at parting with the General when the army was disbanded: Mrs. Washington said it was a most melancholy sight. The situation of Mount Vernon is by nature one of the sweetest in the world, and what makes it still more pleasing is the amazing number of sloops that are constantly sailing up and down the river. Indeed all the ships that come to Alexandria or George Town must sail by the General's house.

At eleven we took leave of him. I shook him heartily by the hand and wished him all happiness. Mr. Lee and his son left us soon after to go to their seat on this side of the Rappahannock about 16 miles from Mr. McCalls at Hobb's Hole. In our way to Alexandria we fell in with Mr. Lunn Washington, the gentleman who managed the General's estate during the war.

We were soon after joined by a gentleman with a pack of fine hounds in search of a fox. They had had a fine hunt this morning and killed one. We arrived at Alexandria by one.

BATTLE OF SCARY.

Dr. J. P. Hale, Editor West Virginia Historical Magazine, Charleston, W. Va.:

Dear Sir:—In compliance with your request, I herewith send you some of my recollections of the fight at Scary Creek, in this county, one of the first fights of the late Civil War.

The "Kanawha Riflemen," on July 17, 1861, were ordered from Camp Tompkins, near Coal's Mouth, to meet the advance of General Cox's Federal forces. Being a private in that company, my

observations were confined, most of the time to a small field of vision.

The Riflemen were deployed as skirmishers, in advance of the other troops, in front of Hale's Battery extending up the ravine along a brush fence. I was the last file on the left. With considerable interest, not unmixed with anxiety, I saw a glittering line of steel extend through the thin woods and cover our front. I saw, I think, the first puff of powder smoke and a bullet hit the stump on which I sat. A large Beech tree was opportunely near me, and I immediately sought the protection of its trunk. As the puffs of smoke increased the beech tree seemed to wonderfully decrease in size. But for personal reasons I stuck to it. Captain Albert G. Jenkins, afterwards a Brigadier General, came up the line of skirmishers, with his hat off, and the blood streaming down his hair and neck, and called for some one to go and get his horse, tied to a stake behind Hale's battery. He did not, like King Richard, promise a kingdom for his horse, but I was thinking of the kingdom to come, and a chance to dodge it. So I left the beech tree, and ran through the brush, over the hill and mounted the horse. I rode up to the battery and saw a dismounted cannon being propped up for service by a lot of determined men. I asked one of them, "where is my brother?" "Who is your brother?" "Lieutenant Welch of this battery." "There he lies. He has done his duty." Then I looked where the soldier pointed, and saw my brother upon the ground lying where he fell, with his head almost severed by a flying piece of iron from the cannon that he was aiming when it was struck and dismounted by a cannon ball. As he lay, with both arms extended in the shape of a cross, he reminded me of Christ crucified. One died for all mankind, the other for his native state, with the same willingness.

I rode the horse to where I left Captain Jenkins, and when I tried to dismount, I could not get my foot loose from the stirrup, and he could not mount. I was very much afraid that the tangle would be undone by the bullets, but solved the riddle by pulling out my camp knife and cutting the stirrrup leather in two. I then repaired rapidly to my friend, the beech tree, and Captain Jenkins went his way in the fight, while I got the stirrup off my foot.

About this time a lot of our men rushed in on our left with blue trimmings on their uniforms. One of them fired at me, and I yelled to my next file on the right, that we were being outflanked by the Yankees. My gun, at this time, was unloaded. He turned, and taking the same view of the situation as I did, with a sudden aim, he shot one of the supposed Yankees through and through. I do not remember how the mistake was rectified, but it was, before the poor boy died. The artillery of the enemy for some time had been making the most noise, but suddenly we heard a new sound. It came from the "Peacemaker," a gun cast by Mr. Job Thayer at his foundry

in Malden) the new sound was caused by the miscellaneous missels it blew at the houses across the creek, behind which the enemy were fighting. Trace chains, mashed horse shoes and other kinds of scrap iron made the boards and shingles fly—and the Yankees also.

The order passed to the skirmishers to rally on the center, which we did, and Lieutenant Nicholas Fitzhugh led us across the creek, and while we were burning some buildings to prevent their giving shelter again to the enemy, in case they should return, a lot of Federal officers rode up, supposing that we belonged to their army, on account of our incendiary occupation. One of them asked us where the d—d rebels were. We closed in around the lot, and gave them the information sought. They were Colonel De Villiers, Col. Neff and others. They consented after some parley to visit Richmond. I then got permission from Lieutenant Fitzhugh to go across the hills to the Upper Falls of Coal river, where my mother was at that time, and tell her the sad tidings of the death of her son.

Here ended my first lesson in the catachysm that followed.

Very respectfully,

LEVI WELCH.

RUMSEY *vs.* FULTON.

It is almost or quite impossible to correct a historical error once it has become fixed and chrystalized in the public mind. A case in point is the claim for priority in the invention of steam navigation. The world believes to-day, and has for a century, that Robert Fulton was the first inventor of the steamboat; but Virginia and West Virginia have had the facts before them for more than a century, that it was the marvelous inventive genius of their modest citizen, James Rumsey, that first applied steam to the propulsion of boats. Fulton was not even the second in point of time. Fitch followed Rumsey and antedated Fulton by several years.

Fulton, who had seen the models of Rumsey's boat, took up the matter where Rumsey had left it, and appropriated the great honors and emoluments when Rumsey was in his grave and had no one to champion his cause, by proclaiming his rights.

The facts in relation to Rumsey's invention, tests, dates, etc., are in nowise ambiguous or uncertain; they are of record and patent to the world.

In Norris' "History of the Lower Shenandoah Valley," published some years ago, Rumsey and his invention were pretty fully written up. The late Col. Alex. Botler, of Jefferson county, in his lifetime devoted much time and labor to collecting and writing up the facts of the case. The writer of this, in a paper on the history

of the Eastern Panhandle Counties of West Virginia, read before the West Virginia Historical Society, in 1899, stated the principal facts in the case.

Some time in last year, (1900), Mr. D. M. Beltzhoover, Jr., of Shepherdstown, wrote an able and interesting paper on the subject, which was published by the West Virginia Historical Society. About the same time a Judge Hayden, of Washington City, wrote a paper on the subject, and more recently, the Hon. D. B. Lucas, of Charlestown, has written the clear-cut paper entitled, "The Inventor of the Steamboat," herewith published in this magazine.

As it is "never too late to do good," West Virginia should at once begin to atone for the injustice of her long neglect of her honored citizen.

New York, in honor of her son, Robert Fulton, for whom priority of invention was wrongly demanded, erected to him a marble statue on the steps of the Capitol building at Washington. West Virginia, to honor her gifted son, the rightful inventor, should erect a statue of him in Statuary Hall, in the National Capitol, and a monument on the bluffs overlooking the Potomac river and scene of his steamboat tests, at Shepherdstown.

Who will start the ball in motion and keep it rolling until justice, though tardy, shall be done to the deserving, and the name of James Rumsey, the West Virginian, shall be enrolled among the greatest inventors of the world, and greatest benefactors of the race.

J. P. HALE.

BATTLE OF POINT PLEASANT.

There have been battles and battles, and the most of them have been written about, and all that has been learned of them, of the men engaged therein, the causes that lead to them, the list of killed and wounded, and the results flowing from the same, have all been set forth in the best form and in the most glowing terms, but the battle of Point Pleasant has had less told of it and less known of it, than any of equal importance.

Not only should a book be written to tell all that should be told thereof, but a monument should be erected on the ground, to commemorate the same.

Who will write the book? and who will place the monument there?

It has been since 1774, that the opportunity has existed, and yet it has not been done.

Each year the prospect grows less promising that it will ever be done. No individual seems inclined to undertake it, yet all will

say it should be done. As all wont it done, and all want to aid in it, let the Legislature, the representatives of us all, undertake and execute the same without further delay. Let a commission be appointed to attend to it, and an appropriation made with which to place some kind of a monument to tell the story of the battle, and let the names of those engaged therein be ascertained and preserved. Let West Virginia have one monument.

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The West Virginia Historical and Antiquarian Society.

HISTORICAL AND DESCRIPTIVE SKETCH OF THE GREAT KANAWHA AND NEW RIVER VALLEYS FROM POINT PLEASANT TO HINTON.

BY J. P. HALE.

The Great Kanawha river, or its chief formative branch, New river, or Wood river, takes its rise in the mountains of western North Carolina, a seaboard state; but, instead of flowing down through the sunny South to the welcoming bosom of the broad Atlantic, which would seem to be its natural course and destiny, it turns defiantly to the northwest, braving and overcoming the formidable barriers of the Blue Ridge, Allegheny mountains and parallel ridges, making its way to the great western continental waterways and through the Ohio and Mississippi rivers to the Gulf of Mexico.

Probably the first white man who ever saw this river at any point was Col. Abraham Wood, who dwelt at the falls of the Appomattox river, the present site of Petersburg, Virginia.

Being of an adventurous turn, he got, in 1654, from the then Governor of the Colony of Virginia, a concession to "explore, hunt and open trade with the Indians of the west."

The line of exploration and discovery was then all east of the mountains, the Blue Ridge had never been scaled, and all that lay beyond was terra incognita. This was long before the famous exploit of Governor Spottswood, who, with his Knights of the Golden Horseshoe, crossed the Blue Ridge in 1716, believing themselves to be the first to do so, and were immortalized by the feat.

Col. Wood and party followed up the Staunton or Dan river, and up the Smith's river, branch of the Dan, to the base of the Blue Ridge, where they found a mountain gap which they concluded to traverse, and named it "Wood's gap," which name it retains to this day.

When they had crossed the "divide" and gotten on to the western slope, they fell upon the waters of a small river which they named "Little river," and "Little river" it still remains. Following down this stream to its mouth, they came to a much larger stream, which being to them a new river, without a name, they then and there named it "Wood's river or New river."

When Col. Wood discovered and named this river, he did not know, of course, the extent of the river nor the destination of its waters, but these names (Wood's river or New river) were intended to attach to the whole course of the stream, from its source to its mouth, wherever that might be.

Both these names clung to the river for a long time. About a century later (1745 to 1755), there were numerous issues of land grants and petitions for land grants west of the mountains.

I find on the records of these frequent references to the river under the above names, and also as Missippi, Alegany and Cantawa. I will quote from some of the records so much as refers to the names of the river: April, 1745,— "acres on three branches of Missippi, one known as Wood's river, and the others to westward thereof." May, 1745.— "acres running on the branches of New river or Missippi." August, 1747, — "running on the branches of Missippi river." May, 1748, — "running on the branches of New river or Missippi." July, 1749, — "river known by the name of New river, and down said river to the Missippi river." Surveys laying on New river, commonly called Wood's river." — "On three branches of Missippi river, one known by the name of Wood's river." June, 1750, — "on Blue Stone creek, three miles from where it empties into Wood's river." October, 1751, — "on Alegany river and Holston river, or any waters of both rivers." March, 1752, — "New river or Alegany, thence down the said river for complement." June, 1753, — "on the waters of the Missippi, beginning at the mouth of New river, otherwise the Big Cantawa." 1754, — "on the waters of the Missippi, beginning at the mouth of the Little Cantawa."

In 1752, Peter Fontaine, surveyor of Halifax county, made, for the governor, a map of the colony as then known, which was only to the Alleghany mountains. Westwerd these mountains were laid down as "Missippi or Alleghany Ridge;" the upper New river (all that was then known of it) was called "New river, a branch of the Missippi river," and beyond was marked "Parts Unknown."

It will be seen from the above, and other records, that

the first hundred years of the knowledge of our river it had no less than nine names, as follows: New river, Wood's river, Missippi river, Alegany river, Cantawa river, China-dochetha (of the French), Pi-qquo-me-ta-mi (of the Miami's), Ken-in-she-ka-cepe (of the Delawares), the last two meaning White Stone river and "Old Greasy," a pet name given to it by the old Kanawha flat-boatmen in the days of salt shipping by flatboats, on acount of the oil escaping from the salt wells, getting into the river, spreading over the surface as it floated down, displaying beautiful iridescent colors. The point of junction of this river with the Ohio was called by the Indians Tu-edna-wie. Each of the river names above mentioned, except "Old Greasy," which applied only from the salt works down, claimed the whole stream, from source to mouth. As the country west of the mountains became better known, the names of Missippi and Alleghany were eliminated from our stream, and relegated to their respective localities. Gradually the name Wood's fell more and more into disuse, and finally became obsolete. The French name, Chinadochetha, had never gotten a hold, and the Indian names vanished with the Indians. Thus the names New river and Kanawha were left in possession of the stream, each claiming supremacy, and neither willing to yield. In this condition of the matter, the rivers seem to have resorted to compromise, as humans so often do under like conditions, New river taking the upper stream to the mouth of Greenbrier, and Kanawha thence to its mouth; but this, again like human adjustments, did not remain satisfactory. New river demanded and Kanawha has gracefully conceded a new division at the mouth of Gauley river, giving New river the smaller and longer stream and Kanawha the shorter and larger one. I say the rivers seem to have made these boundary limitations and adjustments themselves; for, so far as I know, there has never been any formal human action leading to these results. It seems to be one of those curious cases of unconscious action and concurrent common consent, by which great changes are wrought without anybody knowing when, why or wherefore.

I have been somewhat particular about the name of our river, because there is a common misapprehension on the subject. It is often claimed and printed that Kanawha, in the Indian tongue, meant "River of the Woods." This is clearly a mistake; the river had been discovered by and named after Col. Wood, and when the name Kanawha was given it Wood's river became an alias, as Kanawha or Wood's river; and not Kanawha, the River of the Woods.

The first name given the Great Kanawha, at its lower end, by white men, was by a party of French engineers, under Capt. De Celeron, who, on the 18th of August, 1749, planted an inscribed leaden plate at the mouth, giving the river the name of "Chi-na-do-chetha," and claiming for the French crown all the territory drained by its waters. What the name Chi-na-do-chetha signified I do not know.

The French leaden plate was unearthed in 1846 by a little nephew of Col. John Beale, then a resident of Point Pleasant, and, in 1849, just one hundred years after the French had planted it, the late James M. Laidley, then a member of the Virginia Legislature, from Kanawha county, took it to Richmond, and, with appropriate remarks, submitted it to the Virginia Historical Society, where, I am informed, a copy of it is still preserved; but Mr. Laidley was required to return the original to the finder, who was afterwards cheated out of it by the fair and false promise of an itinerant sharper.

The name Kanawha was probably derived by evolution from the name of a tribe of Indians (a branch of the Nanticokes) who dwelt along the Potomac and westward to Wood's or New river. They were variously called or spelled, by different authors, at different times, Conoys, Conoise, Canawese, Conhawas, Conaways and Kenhawas. The spelling of the name has been very various in addition to those given above. Wyman's map of the British Empire, in 1770, calls it the "Great Conoway or Wood's river." The act of the Virginia Legislature in 17889, establishing the county, spelled it Kenhawa. In an original report of a survey near the mouth, made by Daniel Boone, in 1791, and now preserved in the West Virginia Historical Museum, he spelled it "Conhawway." This variety, in the pronunciation and spelling of the names no doubt arose from the difficulty of catching the uncertain and elusive, though often musical sounds of Indian pronunciation, and fixing them in written words. In the remote past—remote as we compute time, but comparatively recent in the geological history of the world—an important and interesting physical change occurred in the course and channel of the lower Kanawha river. Its former course seems to have been from the mouth of Scary creek, fifteen miles below Charleston, down through what is now known as "Teay's Valley," taking in Hurricane creek, Mud river and Guyandotte, and the physical appearance of the country strongly supports this contention. During the last great ice period of the earth's history, geologists teach us that the glaciers came down from the north

over Canada, down into the Ohio valley, and even crossed the Ohio river. The limits of these ancient ice sheets are approximately known and mapped from the indelible records they made. The waters of the Ohio river and tributaries were dammed back by these great masses of ice. The Kanawha-New river valleys, and others, were then long, narrow lakes. This condition must have continued for a very long time, as there are still evidences of lake shores along some of the mountain sides, in water-worn boulders, pebbles and sand. One of these places may be seen on the road leading to Spring Hill cemetery, at Charleston, and others at different points along the river. During this period of obstruction of the former channel, the Kanawha cut and wore down a new channel from the mouth of Scary creek to its present mouth at Point Pleasant; and, as this channel had been worn to a lower level than the old, the river never returned to the old, after the obstructions had disappeared.

When and by what nation, race or tribe of people this Kanawha-New river valley was first inhabited is not known to history or tradition. We know that the Moundbuilders, that mysterious people who figured so extensively over so large a portion of the country, occupied this valley for a time, and probably in large numbers, judging from the extensive earth and stone works, and numerous flint and stone tools and implements they left; but they left no written records, and their history and fate are lost in oblivion.

There was a vague and intangible tradition among the red Indians that this valley was once inhabited by a white or light-colored race, afterwards driven out westward and exterminated by a more powerful race. The red Indians—whether descendants of the Moundbuilders or a diffferent race, is not known—occupied the country north of the Ohio and westward, when the country was discovered by the whites, but they did not then hold this valley. The last tribe known to have had a settled residence here was the Cherokees; but they had retired from it several generations, perhaps centuries, before, and were settled in southern Virginia, the Carolinas, Georgia and Tennessee, but they still claimed title to the lands of this region. This title was so far recognized by the whites that in October, 1768, Mr. Stoward, superintendent of Indian affairs, concluded a treaty with the Cherokees, in which he induced them to cede to Virginia their right and title to the lands on the north side of New river and Kanawha to the mouth, and in October, 1770, another treaty was made, in which they ceded all their lands on the south or west side of said rivers.

The first white families ever in the upper Woods or New river valley were the Ingles and Draper families, and some others who accompanied them, in 1748, and settled at a place they named Draper's Meadows, now in Montgomery county, Virginia. In 1750, Dr. Thomas Walker, of Virginia, with others, made an expedition into Kentucky by way of Cumberland Gap, and in returning, came along the Cumberland mountains, crossed New river at the mouth of Greenbrier river, the present site of Hinton, and then up Greenbriar river. These were the first white persons ever in that part of New river valley. In 1755 a party of Shawnees, from Ohio, made a raid upon the Draper's Meadows settlement, above mentioned, killed most of the colonists, burned their houses, and took Mrs. Mary Ingles and Mrs. Bettie Draper prisoners, down the New river and Kanawha and over to the Scioto Indian settlement, north of the Ohio. These were the first white persons ever in the Kanawha valley.

In 1764, Matthew Arbuckle, an adventurous pioneer of the Greenbriar frontier settlement, came down the New river and Kanawha to the Ohio and returned. He was the first white man ever in the Kanawha valley. Ten years later he piloted the Virginia army, under General Andrew Lewis, from Fort Savannah, now Lewisburg, to the mouth of the Kanawha, where, on October the 10th following, the bloody and decisive battle of Point Pleasant was fought, and the Indians, under their famous leaders, Cornstalk, Logan and others, were defeated.

In 1770 General Washington was on the lower Kanawha, locating and surveying lands granted to him for his military services in the northwest, the expedition to Du Quesne, etc. In 1772, he was again locating military lands for himself and companions in arms, higher up the valley. It is claimed that he was again in the valley in 1784, but his own diaries give no account of it.

In 1771, the renowned pioneer, Simon Kenton, and two companions, Yeager and Strader, were the first to build a cabin or camp and make a settlement in the Kanawha valley; they were located about the mouth of Two-Mile creek of Elk river; here they hunted and trapped until early in 1773, when they were attacked by the Indians, Yeager killed and both Kenton and Strader wounded. The survivors made their way to the mouth of the river, where they fell in with some French traders, who took care of them. Later in the year, Col. Thomas Bullitt was here taking up and surveying the lands on which Charleston now stands, for military services in Braddock's army. The same year (1773), Walter

Kelley made at the mouth of Kelly's creek the first family settlement in the Kanawha valley. In the same year, John and Peter Van Bibber and Rev. John Alderson came down the New river and Kanawha, and on the trip discovered the so-called "burning spring," then considered a great mystery, but now known to be simply an issue of natural gas, which will bubble a pool of water through which it rises, resembling boiling, and burn if set on fiire.

In 1774, William Morris settled at the mouth of Kelly's creek (where Kelly had been killed by the Indians), John Flinn, on Cabin creek, Leonard Morris at the mouth of Slaughter's creek, and Thomas Alsbury and others at points lower down.

In 1775, Generals Washington and Lewis "took up" 250 acres, including the wonderful burning spring.

In 1776, Robert Hughes, the first settler at the mouth of Hughes creek, was captured by Indians and remained a prisoner for two years.

In 1777, Cornstalk, his son Elinipsco, and Red Hawk, were killed at Point Pleasant.

In 1782, Thomas Teays was captured below the mouth of Coal river, taken to Ohio and condemned to be burned with Col. Crawford. He was recognized and saved by an Indian with whom he had hospitably divided his salt when surveying in Teays' valley the year before.

In 1785, Captain John Dickinson located 502 acres at and above the mouth of Campbell's creek, including the "Big Buffalo lick," or Salt Spring. This spring was largely resorted to by buffalo, elk, deer and other game, when first discovered by the whites.

In 1786, the first wagon road was made from the Greenbriar settlements to the Kanawha river; the route was by Muddy creek, Keeneys knobs, Rich creek, Gauley river Twenty Mile creek, Bell creek, and Campbell's creek, with side trails down Kelly's creek and Hughes' creek to the boat yards.

In 1788, George Clendenin built the first house and fort where Charleston now stands. This house was immediately followed by six other houses built by his co-colonists, and in front of the Clendenin house a picket fort. In the same year Lewis Tackett was captured by Indians on his way down the Kanawha river, and tied to a tall pine tree on a high knob near the river, while they went off hunting. During their absence a rain wetted and stretched the buckskin thongs with which he was tied, and he made a wonderful escape. This tree, known as "Tackett's pine," stood until

within a few years past, and was used as a landmark by steamboat-men to steer by. Soon after this, Tackett settled and built him a fort at the mouth, on the lower side of Coal river. This fort was soon after captured, and several persons murdered by the Indians. John and Lewis Tackett and their mother were captured near the fort while gathering turnips. Chris Tackett and John McElhany were the only men in the fort when captured. Chris Tackett was killed in the action. McElhany and wife, Betsy Tackett, Sam Tackett and a small boy were taken prisoners; McElhany was tomahawked near the fort. John Tackett succeeded in making his escape, but Lewis Tackett and his mother were taken to the Indian town on the Scioto, where they remained as prisoners two years, when they were ransomed and returned.

In the young family is preserved an interesting tradition in relation to the capture of Tackett fort. When the attack commenced, John Young with a young wife and a one-day-old babe, were in the fort; but upon the final surrender, and under the friendly cover of the approaching shades of night, Young picked up the wife and babe and the pallet on which they lay, made his way unobserved to a canoe at the river bank, laid them in it, and, through a drenching rain, poled his canoe with its precious freight up the river during the night, to Clendenin's Fort, and they were saved. Neither father, mother, nor babe suffered from the effort, fright or exposure. The babe, Jacob Young, lived to about ninety, leaving a large family of worthy descendants in the valley.

During the same year, Ben Eulin, while hunting in the hills below Point Pleasant, was pursued by Indians, and to escape them, jumped over a cliff said to be fifty-three feet high. He fell in a clump of pawpaw bushes covered with wild grape vines, which broke his fall and saved breaking his neck. He then jumped from another ledge twelve feet high and finally escaped, but little worse for the wear and tear.

About the same time, Capt. John Van Bibber and family were attacked near Point Pleasant; his daughter, Rhoda, was killed and scalped, and Joseph, a younger brother, taken prisoner to Detroit. He made his escape and returned home in 1794. Captain Van Bibber, aided by his faithful negro servant, Dan, killed two or three Indians during this attack.

In 1788-9, Daniel Boone and Paddy Huddlestone caught the first beavers ever trapped in this valley, at Long Shoal, below Kanawha Falls. The trap is now preserved in the West Virginia Historical Museum.

In 1789, Mad Ann Bailey, the fearless and famous frontier messenger, made her daring and lonely ride through the woods from Charleston to Lewisburg and back on her black pony, which she called Liverpool, bringing a supply of ammunition for Fort Clendenin (or Fort Lee, its official name), which was short of ammunition and in daily dread of Indian attack.

In 1789, Kanawha county was organized; its boundary was from Pond creek, some miles below Little Kanawha, down the Ohio to the mouth of Big Sandy, up Big Sandy to the Cumberland mountains, thence along the Cumberland range and across to a point nearly opposite the mouth of Pond creek, and thence to the beginning at the mouth of Pond creek, being about one hundred miles square, and comprising about ten thousand square miles of territory. The little Clendenin settlement, with its seven log houses and about thirty inhabitants, was made the capital and seat of government of this vast territory. In the official organization provided at the first court, held at the house of George Clendenin, the following "gentlemen justices" were severally sworn and qualified as members of the Court: Thomas Lewis, Robert Clendenin, Frances Watkins, Charles McClung, Benjamin Strothers, William Clendenin, Daniel Boone, George Alderson, Leonard Morris and James Van Bibber. Thomas Lewis was entitled to the sheriffalty of the county. He was duly commissioned, and appointed John Lewis his deputy. William Cavendish was appointed clerk and Frances Watkins his deputy. Reuben Slaughter was appointed county surveyor, David Robinson and John Van Bibber were appointed commissioners of the revenue, and William Drawdy and Williams Boggs, coroners.

In those days counties had military organizations ofter the English style. For Kanawha, George Clendenin was county lieutenant; Thomas Lewis, colonel; Daniel Boone, lieutenant-colonel; William Clendenin, major; Leonard Cooper and John Morris, captains; James Van Bibber and John Young, lieutenants, and William Owens and Alexander Clendenin, ensigns.

The first house built by George Clendenin was, for a time, used, not only as his private residence, but as a fort, a place of public entertainment for the few who came this way, for a court house and clerk's office, and the only voting precinct in the county. The year in which Kanawha was organized was an eventful one; in this year (1789) the first United States Congress, met, the federal constitution became operative, and George Washington took his seat as first President of the Republic.

In 1790, at the first election held in the county for legislators, Col. George Clendenin, the founder of the settlement, and Col. Andrew Donnally, Sr., the hero of the Indian fight at Donnally's Fort, were elected. At the election of 1791, George Clendenin and the renowned pioneer and frontiersman, Daniel Boone, were elected.

For six years after the founding of Charleston, the place had not distinctive name; it was called indiscriminately, "Clendenin's Settlement," or "the town at the mouth of Elk." In 1794, (Dec. 19), the Legislature of Virginia enacted that forty acres of land, the property of George Clendenin, at the mouth of Elk river, in the county of Kanawha, as the same are already laid off into lots and streets, shall be established as a town, by the name of Charlestown (so named after Charles Clendenin, father of George Clendenin), and appointed Reuben Slaughter, Andrew Donnally, Sr., William Clendenin, John Morris, Sr., Leonard Morris, George Alderson, Abraham Baker, John Young and William Morris, "gentlemen," as trustees. Surely, no set of men ever had such a "corner" on public offices as these few gentlemen who early settled about Charleston. The original map of the town is now preserved in the West Virginia Historical Museum. It is a curious fact that, while the county was officially named "Kenhawa," and the town "Charlestown," they both, without legislative, municipal or any public action, became gradually changed and finally crystallized as Kanawha and Charleston.

The Kanawha and New river valleys, from Point Pleasant to Hinton, about 150 miles, lies within five counties: Mason, Putnam, Kanawha, Fayette and Summers. Mason county was organized in 1804, with the county seat at Point Pleasant, which has been a continuous settlement since the battle of Point Pleasant in 1774. It now has a population of about 2,000. Putnam county was organized in 1848, with Winfield as county seat; it is a small village, with but a few hundred people. Fayette county was organized in 1831, with county seat at Fayetteville, a village of only a few hundred people. Summers county was organized in 1871, named after the distinguished statesman, orator and jurist of this valley, George W. Summers. The county seat was located at Hinton, a settlement which sprang up after the opening of the C. & O. railway, and has now grown to an active, thriving town of 5,000 population. There are numerous other villages and towns along the valleys, some of them growing and promising places: among them may be named, in the order of their location going up the valley, as follows: Leon,

in Mason county; Buffalo, Redhouse and Raymond City, in Putnam county; St. Albans, Spring Hill, Malden, Lewiston, East Bank, Cedar Grove, Coalburg, Dego, Handley and Cannelton ,in Kanawha; Montgomery, Deep Water, Mount Carbon, Kanawha Falls, Gauley Bridge and Thurmond, in Fayette county. The population of Mason county was, in 1890, 22,863; Putnam county was, in 1890, 14,342; Kanawha county was, in 1890, 42,756; Fayette county was, in 1890, 20,542, and Summers county was, in 1890, 13,117.

Since 1890, the population of these counties has largely increased. The transportation facilities of the valley are excellent. The slack water navigation of the Kanawha river, which has been in process of construction by the general government since 1873, is now practically completed, at a cost of about $4,000,000, and gives a constant boating stage of six feet water all the year round, from Loup creek shoals to the Ohio river, where it connects with all the 16,000 miles of navigable water-ways of the Mississippi valley. The C. & O. railway, from the Chesapeake bay to the Ohio river, and connecting with the Eastern and Western systems of railways, was opened in 1873, and runs through these valleyes from Hinton to the mouth of Scary creek. The O. C., now K. & M. R. R., was opened from the Ohio river to Charleston in 1884, and afterwards extended to Gauley Bridge. This road runs along the north bank of the river and connects by steel bridge across the Ohio river with the Ohio system of roads, to the lakes and westward. The C. C. & S. R. R. runs up the valley of the Elk river from Charleston, intending to connect with the roads of the northern part of the state at Sutton, Braxton county. Besides these roads there are numerous short branch roads running up the smaller streams into valuable coal and timber districts, and serve as valuable feeders to the trunk lines. These branch roads run, respectfully, up Pocatalico river, Davis' creek, Campbell's creek, Len's creek, Field's creek, Paint creek, Kelley's creek, Morris' creek, Armstrong's creek, Lower Loup creek and Mann's creek. The Ohio River railroad, which runs up and down the east bank of the Ohio river, crosses the Kanawha to its mouth, and a road is projected from Hinton up New river to the Norfolk & Western railroad.

The tpography and scenery of the two valleys is of quite different character. The lower, or Kanawha valley, is picturesquely beautiful, with broad alluvial bottoms of rich agricultural lands, well tilled, bounded by gently sloping, well wooded hills of 200 to 300 feet, near the lower end, gaining in height as you ascend the river, to more than 1,000

feet at the upper end, while the New river valley from Gauley to Hinton has, practically, no bottom or level land; it is simply a gorge or canon, with a rushing, roaring torrent at the bottom, with almost precipitous mountains rising to 1,200 or more feet above the river level. This is one of the wildest and grandest pieces of natural scenery this side of the Rocky mountains.

Before the C. & O. railway was built down this wonderful gorge, it was with difficulty accessible; but now, it is a hive of busy industry from one end to the other from Gauley to Hinton, with a large population engaged in coal mining, coke making and timber getting .

The fall from Hinton to Kanawha Falls is about 680 feet, including the falls of New river and the falls of Kanawha. It will readily be seen what enormous water power this would give; so far it has not been used (except to a small extent at Kanawha Falls), and is still running at waste; but, may we not hope that, ere long, it will be largely utilized for manufacturing, either direct or by conversion into electricity to be more conveniently available for power, lighting, etc.

As may be expected from the character of the country, the Kanawha valley, as now limited (from the mouth of Gauley to the mouth of Kanawha) long antedated the settlement of that portion of New river valley now under consideration (from the mouth of Gauley to Hinton).

The traditions which relate to the early settlement of the Kanawha valley abound in adventurous eperiences and tragic incidents which befell the brave and hardy pioneers who came here to conquer the wilderness and win themselves homes, through dangers and hardships; but the prescribed limits of this article will not admit of my writing them out with that fullness and particularity which alone would do them justice. I can only as herein above, and as will follow, make meager mention of some of them, to preserve the incidents and the dates, while many must be left even unmentioned.

In 1790, Clendenin's Fort, on Fort Lee, was again threatened by an attack of Indians, and was short of ammunition. Fleming Cobb, an expert woodsman and waterman, was detailed to go to Point Pleasant for a supply. He started by canoe with his ready rifle and enough cooked food for the trip. He floated down by night to avoid being seen by Indians along the shore—by daylight next morning he had made forty-eight miles of the fifty-eight miles distance. He drew his canoe into the mouth of Ten Mile creek and secreted it

and himself under overhanging boughs and took a refreshing sleep in the bottom of the canoe. During the next day, while he was waiting for another night to complete his journey he saw passing up the opposite side of the river about twenty Indians, they did not discover him, but the sight at once suggested to him the danger he had to encounter on his up trip.

When night came he went on safely to the fort at the Point. Next day he got his powder, lead and gunflints, and, at dark, set out on his perilous return. After a few hours' travel, poling his canoe up stream, he was discovered and pursued by a party of three Indians, but as they were on the opposite side of the river, and he kept his canoe close to his shore, he managed, during the night, to escape harm. Next morning, being near the mouth of Coal river, one of the Indians undertook to swim the Kanawha, so that if he (Cobb) escaped the two on one side, he would inevitably fall within range of the deadly rifle of the one on the opposite side. Cobb at once saw the danger that threatened him, and started his canoe full speed for the crossing Indian, being determined to kill him if possible. When within good rifle range he fired and wounded his man. He did not wait to see results, as the other two were firing at him, but started his canoe up stream with all the energy he could command, and while the two Indians were rescuing and taking care of the wounded one, he (Cobb) had gotten out of sight, and about 10 o'clock reached the fort safely, having made about fifty-eight miles by canoe, up stream, without food, sleep or rest, most of the way by night and most of the way pursued by three armed Indians, one of whom he succeeded in killing or wounding and thereby escaping them all. What wonderful power of physical endurance these early frontiersmen had—without it they could not, with all their nerve and pluck, have executed such daring, dangerous and desperate undertakings. Cobb's powder bottle, made of hickory, which he carried in this and other expeditions, is preserved in the West Virginia Historical Museum.

This Fleming Cobb brought here from eastern Virginia, the first fruit trees ever in the valley. Ann Bailey brought on horseback the first geese ever in the valley, and also brought on horseback a copper worm still, to distill the first whisky ever made here. Ann was English by birth and never lost her cockney dialect; she was a first-rate shot, and in telling her friends of one of her recent feats, she said she had just "killed a howl hoff a helf tree across the Heik river."

In 1794, John Harriman, living on the south side of Kanawha, two miles above the fort, was the last white person killed by Indians in this valley. In the same year the Legislature of Virginia granted ferry franchises to George Clendenin and Thomas Lewis, the first to establish ferries across both the Kanawha and Elk rivers at Charleston, and the latter to establish ferries across both the Kanawha and Ohio rivers at Point Pleasant. The first ferries ever across New river between Gauley and Hinton were Miller's ferry at Hawks Nest, and Bowyer's ferry at Sewell mountain. The first post office established in the valley was at Charleston, April 1, 1801, Edward Graham, postmaster. For ten years or more, there was only a fort-nightly mail, brought here on horseback from the east, via Lewisburg. The first Alsbury at the Falls of Coal river, and run by water-power, wheat and corn mill established in the valley was by Thomas To this the early settlers had to send their grists of wheat and corn and wait their turn, according to millers' rule. In those days flour and meal were not kept in the stores for sale. The first houses were, of course, built of logs; the shingles for roofs and lumber for internal finish were rived, or whipsawed by hand. Between 1815-20, sawmills were erected on Two Mile creek of Elk, with corn cracker attachments. Tobacco was largely raised by the early settlers, and, in the great scarcity of money, became a legal tender. Taxes were paid in tobacco, public officers were paid their salaries in tobacco, the courts gave judgments for debts payable in tobacco, and tobacco became the ordinary medium of exchange for property and commodities. Early in the settlement, the woman's wash kettles were called in requisition to boil the water of the salt spring to make the family supplies of that indispensable article. As the demand increased one Elisha Brooks, in 1797, under lease from Joseph Ruffner, who then owned the spring, erected a little furnace consisting of two dozen small kettles, set in a double row, with a chimney at one end and a fire-bed at the other. Using wood as fuel, he made about 150 pounds of salt per day and sold it for ten cents per pound at the kettle. Later, David and Joseph Ruffner bored a well in the salt spring, and secured, as they hoped, a larger supply of stronger salt water. This well at first only about sixty-five feet, was probably the first salt well ever bored in America. They built a larger furnace and had a full demand at good prices for all the salt they could make. This success gave great impetus to well-boring and furnace building on both sides of the river, up and down, and salt making soon became, and long remained the lead-

ing industrial interest of the valley. In the 40's and 50's the product went up to about 4,000,000 bushels per year; but stronger brines and shorter freights to the great consuming markets of the northwest gave advantages to newly discovered salt districts, which enabled them, by competition, to break down the interest here; and now, but one furnace is left (that of Mr. J. Q. Dickinson) to supply a good local demand. Kanawha was the birthplace of American well-boring; and Billy Morris, an ingenious well-borer, invented a tool which has done more to render deep boring practicable, simple and cheap, than anything else since the invention of steam. This tool is called, here, the "Slips;" but in the oil regions and elsewhere, they give it the name of "Jars." Morris never patented nor made a dollar out of his invention; but, as a public benefactor, he deserves to rank with the inventors of the sewing machine, reaping machine, planing machine, printing cylinders and cotton gin.

The Kanawha well borings have educated and sent forth a set of skilled well-borers all over the country, who have bored for water, for irrigation on the western plains, for artesian wells, for city factory and private use, for salt water at various places, for oil and gas all over the country, for geological and mineralogical exploration, etc. Capt. James Wilson, in 1815, bored within the present limits of this city, the first gas well in America. He bored for salt water; but getting very little, and an abundant supply of gas, of which he did not know the use or value, abandoned the well.

In 1840, William Tompkins, a salt maker, boring in one of his wells just above the mouth of Burning Spring branch, struck a large flow of gas and had the good sense to use it in boiling his brine. He was the first in America to utilize natural gas for manufacturing purposes.

A year later (1841), Messrs. Dickinson and Shrewsbury bored on the old Burning Spring tract and got the largest flow of gas ever struck in the valley. They used it in salt making for a number of years. Several others got gas in their wells and used it in salt making, but, finally, a scale deposited from the gas and salt water and clogged the wells and pipes until the gas was shut off.

In 1817, David and Tobias Ruffner discovered the first coal known in Kanawha and after much difficulty in arranging suitable grates and fire-beds, succeeded in using it, instead of wood, in their salt furnace—the way having been shown, all the manufacturers soon adopted it.

In 1846, T. S. A. Matthews discovered cannel coal on

Falling Rock creek, the first ever discovered in America. Discoveries were soon after made at Cannelton, on Mill creek, Paint creek, Coal river and other localities. In 1849, Mr. William Tompkins first shipped cannel coal from Kanawha by boat to New Orleans, and for several years cannel coal was shipped from here to New York via New Orleans.

In the 50's large oil works for the manufacturing of oil from cannel coal (the first in America) were erected at Cannelton and afterwards at Falling Rock, Paint Creek, Mill creek, Len's creek, etc., and promised to be a most important and profitable industry; but the discovery of oil in wells was a death-blow to the "infant industry" and all hopes in that direction.

Before the discovery of oils from wells, in large quantities, nearly all the salt wells in this valley yielded a little oil. The late John Slack, Sr., from his well at Black Rock, sold fifty barrels of oil to a Cincinnati druggist, to be put up in small bottles and sold as "British Oil," "Oil of Spike," etc., then popular as a liniment for bruises, sprains, rheumatism, etc. This is believed to have been the first barrel sale of well oil in America.

In 1855-6, the first commercial shipments of splint and bituminous coals from this valley were commenced; but, owing to the difficulties and dangers of navigation, at that day, not much was done until after the war. The first coke made in Kanawha valley was by Wm. Wyant, in 1878. A few years later, numerous coal and coke works were started on New river. The output has been increasing very rapidly until 1896 (although a year of business depression) the shipments by rail and river, east and west, amounted to 2,492,291 tons of coal and coke combined. These coals and cokes are equal to the very best in any market; and, by virtue of their superior quality, are rapidly increasing their product and extending their markets into new and wider fields. Building stones and fire clays of superior quality abound in both valleys, and brick clay in endless quantity in the Kanawha valley.

We have in these valleys, and tributary to them, a great variety of valuable timbers, and of various superior quality. The timber and lumber trades are very large and increasing rapidly. Our hardwoods are especially abundant and fine.

The first steamboat ever to enter the Kanawha river was the "Robt. Thompson," in 1819. She got as far as Red House shoal, but not having power to stem the swift current, she had to return. The next, and the first to reach Charleston, was the "Andrew Donnally," December 20, 1820.

After her came the "Eliza," and since then the steamboat supply has kept pace with the increasing demands of the valley.

Public sentiment in these valleys was very much divided on the issues involved in the late civil war, and both sides contributed liberally, in volunteers, to their respective armies. The valleys were occupied several times alternately by each army, and one of the first battles of the war was fought at the mouth of Scary creek, fifteen miles below Charleston, on the 17th of July, 1861, just one week before the first battle of Bull Run.

This valley was one of the principal routes through which the Ohio river states were populated; they came this way from Maryland, Virginia and North Carolina, taking flat boats on the Kanawha, and floating down the Kanawha and Ohio to their destination.

Many of Gen. Lewis' army, who were at the battle of Point Pleasant, came back this way, some settling in this valley and some going to Kentucky and Ohio.

Three of the earliest settled towns of the west—Marietta, Charleston and Cincinnati, in the order named—were founded in the same year, 1788. Marietta in April, Charleston in May, and Cincinnati in December.

It is not generally known outside of these valleys that the renowned pioneer and frontiersman, Daniel Boone, lived here, an active, useful and honorable life, from 1788 to 1799. This was after his Kentucky exploits and experiences, which gave him so much fame, and before he went to Missouri, where he remained until the end of his wonderful career. On of his sons, Jessie, married here, and their connections are among the best families in the country—Van Bibbers, Hills, Donnallys, Reynolds, Frys, etc.

The Kanawha river at its mouth, at low water is 510 feet above sea level; Charleston is 555 feet; the mouth of Gauley 650 feet, and Hinton 1,300 feet. From the mouth of Kanawha to Cincinnati is 205 miles; to Pittsburg, 262 miles; to Charleston, 59 miles; to Gauley, 96 miles, and to Hinton about 150 miles.

These valleys (Kanawha and New river to Hinton) lie in the north temperate zone, about 38½ degrees north latitude, nearly on a line with Yeddo, Japan; San Francisco, Cal.; Salt Lake City, Utah; St. Louis, Mo.; Lexington, Ky.; Washington, D. C.; Madrid, Spain; Athens, Greece; and Peking, China.

This is the most favored belt on the globe for comfortable temperature, high health, physical and intellectual devel-

opment and progressive civilization. The mean annual temperature of our valleys is about 53 degrees, the mean annual rainfall, about forty inches, and elevation above tide 510 to 1,300 feet at water level. We are free alike from the extremes of heat and cold that prevail to the north and south of us. Being south of the great storm belt, and protected by our hills, we are free from the tornadoes, cyclones and blizzards that devastate the western plains. We are free from the epidemic fevers often so fatal in other parts of our country, and free from the wearing and torturing malaria that makes life a burden in other sections. With delightful climate, pure mountain air and pure water, we have as healthful a region as can be found anywhere in Uncle Sam's broad dominions, as is evidenced by the large number of aged people among us and our remarkably low death rate.

WEST VIRGINIA'S BIRTHDAY.

BY W. S. LAIDLEY.

Some one will say that states are made, not born; which if true, would not prevent them from having a day on which they began their existence as a state, and this we call its birthday.

Neither shall we attempt to define what a State is! Some say it is a body of persons united together in one community for the defence of their rights, the body politic, and thus the State and the people are one and the same. Others define a State to be a territory occupied and ontroiled as a state, and others say it is the organization of the executive, legislative and judicial powers, which constitutes the state—

"What constitutes a State?
Not high raised battlement or labored mound,
Thick wall or moated gate,
Nor cities proud with spires and turrets crowned;
Not bays nor broad armed ports
Where, laughing at the storm, rich navies ride;

Not starred and spangled Courts
Where low browed baseness wafts perfume to pride—
No. men, high minded men,
With powers as far above brutes endued
In forest, brake and den.
As beast excel cold rocks and brambles rude,
Men, who their duties know,
But know their rights and knowing dare maintain,
Prevent the long aimed blow
And crush the tyrant while they rend the chain—
These constitute a State!"

Whether West Virginia is a state, and when it became one, are questions that with the facts before you, you shall determine for yourself.

If you should enquire of the school children of West Virginia or of any one of the citizens of the state, that are supposed to know, they would all tell you that the "Birthday of the State of West Virginia was June 20th, 1863."

They would say so because the State histories say so; because it is the date engraved on the State seal; because on this day it is supposed the State became one of the United States of America, and on this day the officers elected as the State officers were inaugurated, and because this is the generally accepted date, and everybody says so.

And who says otherwise?

The government of the State of Virginia had jurisdiction and control of the territory and people, at least up to the passage of the Ordinance of Secession, probably until the State of Virginia united with the Confederacy, but all this is somewhat of an enigma, which we are unable to solve. Whether secession dissolved the union, whether the States could secede, and if they did whether Virginia could take with her that part, that did not wish to go into the Confederacy—this the readers can determine for themselves.

It is sometimes called a situation or condition, either *de fine* or *de facto*. As a fact that part of Virginia lying west of the Alleghenies, or a very large part of it, did not intend to, nor did it ever become subject to the Southern Confederacy, but parts of it, for short periods, were held at different times under the control of the Confederate army.

Soon after the passage of the Ordinance of Secession, by the Virginia Convention, at Richmond, the members from the Western counties, left for their homes, and practically severed their connection with the old Commonwealth. From that time, the west repudiated the authority of the old State,

and from that time, there was the beginning of the separation, which grew into the new State. The people of Virginia were conscious of the immensity of the step they were taking and they were slow to take it. No doubt the problem before them was as great or greater than that of 1776. If the State of Virginia remained in the Union, she would be called upon to act with the other States of the Union, to assist in restoring the Union and quelching the insurrection, or rebellion or revolution, as you may name it. She would be required to furnish her quoto of men and means to subdue the Southern States that had seceded, and as she then believed, help to destroy the South and Southern institutions.. If she united with the South, she would have to fight with them to maintain their separation, and prevent the destruction of said institutions, and slavery.

This was the question for the Convention to determine.

The western members cared nothing for slavery, they had but few slaves and this was a small interest compared with the sacrifice they would have to make, if they went with the South, and there were many in the west, that wished to see slavery abolished anyhow, and there were few that were willing to risk their lives and fortunes to sustain it. The Convention went South, and the western members went home. The last sad farewell was spoken!

The western people immediately organized their opposition to the adoption of the Ordinance thus passed by the Convention, and submitted to the people for ratification or rejection, and when the vote was taken, the eastern vote overcame that of the west, and secession was ratified by the people of the whole State, but the west was greatly in the majority in opposition to it.

Then began the separation to take form and action.

A Convention was called at Wheeling and on June 13, 1861, and a Declaration of the People of Virginia was made and issued, whereby the action of the Convention in Richmond were declared null and void, and the offices of the State of Virginia were vacated. On June 19, 1861, an Ordinance was adopted at Wheeling, by which the State government of Virginia was reorganized, appointing a governor, lieutenant governor and attorney general, and calling together the members of the Legislature that had been elected in May preceding.

On June 21, 1861, another Ordinance providing for the Legislature to select an Auditor, Treasurer and Secretary of the Commonwealth, and to take steps to secure the revenues, &c.

On the 25 June, 1861, an ordinance was passed to furnish to the United States soldiers "to execute the laws of the Union and to suppress insurrections and repel invasions." and other Ordinances reorganizing the State government, on the basis that Virginia was yet in the Union.

On Aug. 20, 1861, there was passed "An Ordinance to provide for the formation of a New State." Whereby it was ordained "that a new state, to be called the State of Kanawha, be formed and erected out of the territory, &c."

The voters within the said territory, were called upon to vote on the question of the formation of the said new State, at an election to be held on the fourth Thursday in October, 1861. The governor was to declare the result of said election on the 15 Nov. 1861, and if the result was in favor of the new State, he was to call together the delegates on Nov. 26, 1861, to organize themselves into a Convention, to form a Constitution for the proposed State and to submit the same for ratification or rejection to the voters of the proposed State.

On Aug. 20, 1861, an Ordinance was adopted providing for the election of Representatives from Virginia in the Congress of the United States.

The General Assembly called together as aforesaid, met in Wheeling, and passed acts concerning the revenues of the State, to regulate the military force of the State, to declare certain offices vacant, a resolution to elect two United States Senators in the place of R. M. T. Hunter and James M. Mason.

Again in Dec., 1861, the General Assembly of Virginia met in Wheeling, and among other things informed the Secretary of the Treasury of the United States of their inability to pay the part of Virginia's direct tax, and giving the reasons therefor.

Again the Legislature of Virginia met in Wheeling, May 6, 1862, in extra session, and on May 13, 1862, passed an "Act giving the consent of the Legislature of Virginia to the formation and erection of a new State, within the jurisdiction of this State."

This was after the adoption of the Constitution by the Convention, which met in Wheeling Nov. 26, 1861, when the Convention changed the name of the new State from "Kanawha" to "West Virginia," and which Constitution had been adopted by the people in Apl. 1862. And by said act, the Senators and Representatives in Congress of the United States, were requested to obtain the consent of Congress to the admission of the State of West Virginia into the Union.

Was there yet a State of West Virginia?

There was a territory set apart for the new State, and the people had formed for it a Constitution, and had adopted that Constitution, but, was there in existence the State of West Virginia?

On May 13, 1862, Virginia gave her consent to the formation and erection of the State of West Virginia, and asked Congress to consent to the admission of the State of West Virginia into the Union.

On the 14 May, 1862, there was passed an "Act making an appropriation to the proposed State of West Virginia," which gave "to the State of West Virginia one hundred thousand dollars, when the same shall become one of the States of the Union." Here it is called the proposed State, and the appropriation is made contingent upon the new State being admitted into the Union.

On the 25 May, 1862, the Senate of the United States was a;sked to give its consent to the admission of the State of West Virginia into the Union. Congress required an amendment to the Constitution of the new State in regard to slavery, and authorized the President to make proclamation, admitting the new State into the Union, when the proposed amendment of the State Constitution had been made and adopted by the people of West Virginia, but the act was not to take effect until sixty days after the date of said proclamation.

Was there yet a State of West Virginia?

On Jan. 30, 1863, the Legislature of Virginia authorized the Governor, on the event the people of the proposed State of West Virginia, ratified the proposed amendment to its Constitution made by Congress, to postpone the May election until October, 1863.

On Jan. 31, 1863, said Legislature enacted that the troops raised within the boundaries of the proposed State, in the event it shall become one of the United States, should become the volunteer militia of the State of West Virginia as if they had been raised and organized under the Constitution and laws of the State of West Virginia.

Feb. 3, 1863, the Legislature transferred to the proposed State of West Virginia certain property, when the same shall become one of the United States, and on Feb. 4, 1863, made appropriation on same terms.

In the act of Feb. 4, 1863, the State of West Virginia gave its consent to certain counties of Virginia to become part of the State of West Virginia. It speaks of the new State of West Virginia and does not use the word "proposed" State.

On Feb. 16, 1863, an Ordinance for submitting to the people of West Virginia the amended Constitution, was adopted. The vote thereon was to be taken on the 26 March, 1863, and a committee of five were appointed to cause the said election to be fairly taken, in every part of the proposed State of West Virginia, and to procure the admission of the said State into the Union, if the amended Constitution shall be ratified by the people.

On February 19, 1863, another Ordinance was adopted, "to provide for the organization of the State of West Virginia," which says "When the President of the United States issues his proclamation under the act of Congress, approved Dec. 31, 1862, entitled an act for the admission of the State of West Virginia into the Union and for other purposes, then an election shall be held on the Thursday next succeeding the thirty-fifth day from the date of said proclamation, for the election of Senators and Delegates, a Governor, Secretary of State, Treasurer, Auditor and Attorney General, three Judges of the Court of Appeals, Judges for the Circuit Courts, Clerks of Circuit Courts, Sheriffs and Prosecuting Attorney, &c. The term of office of the persons thus elected shall commence on and include the sixty-first day from the date of the said proclamation, but shall continue and be computed as if the same had begun on the first day of Jan. 1863, except that the terms of the Governor, Secretary of State, Treasurer and Auditor shall continue and be computed as if the same had begun on the 4th day of March, 1863.

The vote was submitted and the Constitution as amended was ratified by the people.

The President was informed of the ratification, and he issued his proclamation on the 20 April, 1863. The first Legislature of West Virginia began June 20, 1863. On June 29, 1863, a joint resolution was adopted declaring that certain officers were elected, naming the State officers, and on that day the said State officials took the oath of office and began their official duties.

On Oct. 15, 1863, Joint Resolution No. 24 was passed, a joint resolution respecting the construction of the second section of the Ordinance of the Constitutional Convention for the organization of the State of West Virginia:

Resolved, That the terms of all officers, legislative, executive and judicial, elected on the 28 May, 1863, began on the 20 day of June, 1863, and not previously.

No such officer is or was at any time entitled to salary or compensation for any time preceding the 20 June, 1863.

On Nov. 12, 1863, Joint Resolution No. 30 was adopted, concerning the Auditor and Secretary of State, viz:

Whereas, it appears by the recent report of the Committee on Executive Offices, that the Auditor and Secretary of State, had on the first and second days of this month, overdrawn from the treasury, the former, the sum of $454.00 and the latter the sum of $363.28, alleging such overdrafts to be due to them respectively, for their salaries from the 4th March, 1863, to June 20, 1863, the latter being the day on which the State was inaugurated and the Constitution thereof first came into operation. And whereas the Legislature by a joint resolution, which formally passed on the 14th day of October, 1863, have formally declared that the terms of all officers, legislative, executive and judicial, elected on the 28 May, 1863, began on the 20 June, 1863, and not previously and that no such officer is or was at any time entitled to salary or compensation for any time preceding the 20 June, 1863:

Therefore, Resolved by the Legislature of West Virginia, Any officer who has drawn from the treasury of the State or in any way received compensation as such officer for any time previous to the 20 June, 1863, is hereby required within ten days from the passage of this resolution, to refund the same to the Governor, to be by him deposited in the treasury to the credit of the proper appropriation.

No officer, failing to comply with the requisition of the foregoing resolution, shall be enttiled to draw or receive from the treasury for his own use, any sum of money whatever whether on account of salary, or as compensation for his official services, until the money improperly drawn from the treasury by him as aforesaid, is made good.

Here was a very emphatic avowal that the State did not exist until the 20 June, 1863, and that it could not have had officers until that time and that they could not be paid salaries previous to that date as such State officers.

As a logical statement of the proposition, it does not look as the same could well be contradicted, if the facts were as stated, that the State began its existence on that date.

The Secretary of State, J. Edgar Boyer, did not submit to the diction of the Legislature, but applied to the judiciary to settle his questions of law and fact, and salary. He filed his petition in the Circuit Court of Ohio county on the 18 Mar., 1864, alleging that he had been, prior to October 1, 1863, duly elected to the office of Secretary of State, that he had fairhfully discharged the duties thereof, that on the

first day of Jan., 1864, there was due to him on account of his said services in said office $325.00 and that he had on 4 Jan., 1864, presented his claim to the Auditor, who disallowed and refused to pay it. He prayed for process against the Auditor, Saml. Crane, to show cause why judgment should not be rendered against the State for said sum with interest from Jan. 1, 1864.

The Auditor answered, that on the 10 Aug., 1863, the Secretary drew compensation for services for the period between the 4 March, 1863, and June 20, 1863, at the rate of $1,388 per annum and that he had not refunded the same as required by the joint resolution of the Legislature passed on the 12th Nov., 1863, which provided that the Secretary was not to receive any further compensation for services until he did so refund to the treasury. That on the 10 Aug., 1863, he paid to the Secretary $433.00 on account of his salary which he then regarded as due him by virtue of the Ordinance of the Convention providing for the organization of the State of West Virginia, passed Feb. 19, 1863, and that on the 1 Oct., 1863, he paid the Secretary the further sum of $1,300 per annum and that he had not refunded the same which would be the amount he was entitled, if the Court was of the opinion that the term of office began to accrue from March, 1863, and if the salary began June 20, 1863, then the Secretary had been over paid in the sum of $68.95 and that the judgment should be against him for that amount.

The Circuit Court dismissed the petition with costs.

Thus the Circuit Court held with the Legislature, that the salary of the Secretary began June 20, 1863, the time when the sixty days expired as fixed by the proclamation of the President and provided by the act of Congress, admitting the State into the Union, the day the State was organized, and as claimed, the date of the day of its beginning its existence as a State.

But Mr. Secretary Boyer, was not satisfied yet.

He applied for an appeal and obtained it, and the case was heard by the Court of Appeals.

The Court of Appeals held, that the term of office and the salary of the Governor, Secretary of State, Auditor and Treasurer, began Mar. 4, 1863.

If the salary of the officers of the State of West Virginia began on the 4th day of March, 1863, how could it be possible that the existence of the State began June 20, 1863? There must have been such a State when that State was paying its officers their salaries from March 4, 1863. The

said State may not have been one of the States of the Union, one of the United States of America, but it must have been a State, somewhere, somehow.

The ordinance providing for the organization of the State was passed Feb. 19, 1863. It provided for the election of the State officers on Thursday next after the thirty-fifth day after the date of the President's proclamation. The proclamation was Apl 20, 1863, and the election must have been held in the last of May.

"The term of office of those elected at such election shall commence on the sixty-first day after the date of the said proclamation'—(this would make it June 20, 1863)—"but, shall continue and be computed as if the same began on Jan. 1, 1863, except that the Governor, Secretary of State, Auditor and Treasurer shall continue and be computed as if the same began on the 4 March, 1863."

One thing is certain, that either there was a State of West Virginia before the 20 June, 1863, or else there were officers paid salaries as officers of said State before there was a State, and for which salaries, they performed no services.

It does appear somewhat mixed, as to when the State of West Virginia began its existence. The people of the proposed State voted to become a new State, they held a Convention and made a Constitution, and then they voted to adopt that Constitution, they passed ordinances to organize the new State, to elect a legislature and State and county officers, they obtained the consent of the Legislature of Virginia for the new State to be organized, all this was done before June 20, 1863.

If all this was not done by the people of West Virginia, by whom was it done? If it was done by the people of Virginia, by what right had such people to do the same?

The Legislature of West Virginia, and the Governor, and the Circuit Court all deemed the proper time to pay State officers their compensation for their services to the State, from the time they began to render those services, which was June 20, 1863.

It seems that they were elected on the 28th day of May, 1863, but the Ordinance of Feb. 19, 1863, said that the term of office of State officers then elected should commence on and include the sixty-first day from the date of the President's proclamation, but shall continue and be computed as if the same had begun on the 4 March, 1863. There is no wonder that there was a difference of opinion as to what all this could or did mean!

But if the 4th of March, 1863, when the officers of the State began to draw their salaries, was not the day that the State began its existence as a State, was the 20th day of June the exact date? Congress admitted the said State into the Union, by an act, which said it should take effect sixty (60) days after the date of the President's proclamation.

The Ordinance said the term of office should commence and include the sixty-first (61) day from the date of the said proclamation.

The date of the said proclamation was April 20, 1863. This day is the 110th day of the year, if you add 61 days, then you have the 171st day of the year which is June 20, 1863, but if you add 60 days, you have June 19, 1863, as the day the State of West Virginia became one of the States of the Union.

We do not pretend to say when the State began its existence, but it is very evident that it had much vitality before June 20, 1863, and whether it was a full free born State until that date, we shall leave the subject with you, to answer the conundrum for yourself.

THE RUFFNERS.

By Dr. Wm. Henry Ruffner.

I. Peter.

The Ruffners having constituted an important element in the make-up of Kanawha county, especially in its earlier decades, their origin may be a matter of public interest.

The Ruffners of Virginia, West Virginia, and most of those who are scattered in the States farther west even to the Pacific Ocean, are all descendants from Peter Ruffner, who emigrated from the German border of Switzerland to America in 1732, whilst still a young man. He sojourned for seven years in Lancaster County, Pennsylvania. There he married Mary Steinman, the daughter of a wealthy German landholder, who assigned to him a patent obtained from King George II for a baronial estate in Virginia on the waters of the Shenandoah River, in what was then Frederick County, afterwards Shenandoah, now Page. Thither he came with

his wife, and as has been suggested, with live stock and other conveniences. He certainly brought either money or the means of making money, as was proved by his rapid accumulation of additional property. His original patent covered a belt of land beginning at the mouth of Hawkbill Creek, a mill stream which passes close by Luray, and continuing up the creek including both branches for eight miles. His lands were afterwards extended four miles farther up the two branches of the creek, which additions greatly improved the character of his estate.

Peter established his dwelling at the "Big Spring," now on the edge of Luray where he and after him his son Peter, and after him a grandson Jonas, lived, reared large families, and died. After whom came Forrer, and after him the widow Chapman whose heroic sons distinguished themselves in Mosby's command. At the time when Peter Ruffner came there was a small settlement of Germans in the neighborhood, among whom were Stover, Strickler, Roller, Heistand, Beidler, etc.

It is quite certain that Peter Ruffner came from Switzerland, yet there is an important statement made by Wm. S. Marye which brings him from the Kingdom of Hanover in Germany. Marye, one of the Fredericksburg Maryes, and an educated man, came in 1794 to the German settlement and lived for a time with a Scotchman named Mundell, who was engaged in merchandizing. In 1802 he married Mary Ruffner the daughter of Peter the second, and soon came into possession of the family records and traditions. In 1835 Marye wrote a history of the Ruffner family which contains a number of statements not found elsewhere, but which does not contradict the prevailing family tradition except on the one point in locating the paternal home of the first Peter in Hanover. Marye bore so high a reputation for probity that we may ascribe his error to inadvertence. With this remark I will quote from his narrative:

"Peter Ruffner the elder is the first of the Ruffner family of whom we have any intelligence in this country. He was a native of the Kingdom of Hanover in Germany; was of the Teutonic-German stock; was the third son of a German baron, who owned large landed estates in Hanover. He spoke the High Dutch language (Hoch-Deutsch) and was in religion a Protestant of the Martin Luther school.

"He was at an agricultural college, and before he got through his studies (with other students), he left college without the knowledge of his parents, and came to this country, having been attracted hither by the then glowing descriptions of America published in the German States. On

arriving in this country, he located in one of the interior counties of Pennsylvania (Lancaster county, I think it was), where he very soon thereafter became acquainted with and married Miss Mary Steinman, the daughter of a very wealthy German farmer there, who owned a large landed property in the Valley of Virginia. Said Steinman was a native of the Kingdom of Wurtemburg in Germany; was of the Slavonic-German stock; he spoke the Low Dutch (Platt-Deutsch) language; he emigrated some years previously to this country, with considerable means, and had made a considerable fortune by farming and grazing, and had invested much of his surplus funds in those valuable wild lands in the Valley of Virginia, along the Shenandoah River, and on both branches of the Hawksbill Creek, in Shenandoah County.

Steinman gave to Ruffner a large body of very valuable land, situated on both branches of the Hawksbill Creek, to which said Ruffner and his wife Mary removed, and settled on the plantation now owned by and on which Jonas Ruffner resides, on the Hawksbill Creek, adjoining the town of Luray, where he lived many years with his wife Mary, and by her he had the following children, viz:

1. Joseph.
2. Benjamin.
3. Reuben.
4. Peter.
5. Emmanuel.
6. Elizabeth.

The said Peter Ruffner was only about nineteen years old when he came to America. He was a tall, fine looking man, being 6 feet 3 inches, of strong mind and with great energy of character; was a man of mark and of much influence in his neighborhood and county. His wife was said to be possessed of equally good parts; and they were both well calculated to do well in the world. They were industrious, thriving and prosperous farmers for many years and acquired much additional landed property. They lived to a good old age, and died and were buried on the plantation on which they had first settled, having raised all their children, and settled them on good farms near to them, as they respectively got married.

At the time Peter Ruffner the elder migrated to and settled in Shenandoah, there was a considerable settlement there of Slavonic Germans, mostly from Pennsylvania, the stock being of that extraction of Germans, with some few foreign Germans, all who spoke the Low Dutch (Platt-Deutsch) language. Indeed at that early day, that part of

the Valley of Virginia was almost exclusively settled by this class of Germans, and it was with that class of Germans that the said Peter Ruffner became identified and inter-married afterwards."

Had Marye located the Ruffner barony in Switzerland his narrative would have harmonized with some known facts. I am creditably informed that Judge Drew of Kanawha, when a student at Heidelburg University made the acquaintance of a Baron Rufnier (also a student) from Switzerland, and that their acquaintance is still continued by correspondence. No doubt this name is but another form of Ruffner. In 1876 at the Philadelphia Exposition a Ruffner from Berne, Switzerland, exhibited chemicals. From various quarters it is reported that the name is now common and influential in the region about Berne.

But evidence is accumulating which indicates that neither Germany nor Switzerland was the original fatherland of the Ruffners; but that they originally came from Italy. A tradition to this effect exists among at least three lines of people bearing the name in America, who are not known to be related to each other, and in a book entitled "Noblesse Francaise," which I examined in the old Philadelphia library, is to be found the name of Ruffiniere. In a similar book of Italian notables occurs the name of Ruffiniar. The same name with the exception of the final "r" occurs very often among the Latin people both ancient and modern. Ruffinianus was a Roman rhetorician; Ruffinus was a son of Poppaea by her first marriage to Rufus Crispinus. In the Gallic War there was a General Ruffinus. A number of others might be mentioned. The radical name of them all was probably Rufus, red, so named from the color of the soil.

But the etymology of the name is of less consequence to us than the doings of the people of the Hawksbill. The man who brought the name certainly had enterprise and good judgment, for as heretofore said, large as was his tract of land on the Hawksbill he largely and rapidly added to it. Beautiful though partial views of his possessions may be obtained from the car windows for several miles south of Luray, looking east toward the Blue Ridge. We have no detailed information as to Peter's additions except as to the purchase from Lord Fairfax of 196 acres of land on the Hawksbill in 1761. The original deed in a somewhat mutilated condition is now on deposit in the State Museum at Charleston. The handwriting is quite legible, but parts of the document are gone including the signature. The antique style of the deed, I think, possesses interest enough

to justify the making of the following quotations from it, to-wit:

"The Right Honorable Lord Fairfax, baron of Cameron, in that part of Great Britain called Scotland, proprietor of the Northern Neck of Virginia: to all whom this present writing shall come, sends greeting.

Know ye that for good causes, for and in consideration of the composition to me paid, and for the annual rent hereinafter named, I have given, granted and confirmed, and do hereby give, grant and confirm to Peter Ruffner of Frederick County, a certain tract * * * adjoining other land of Ruffner * * * on the branches of the Hawksbill. * * * Bounded as follows * * * To have and to hold * * * Royal mines excepted * * * and a full third part of lead, copper, tinn, coals, iron mine and iron ore.

"Said Ruffner shall pay yearly and every year on the first day of St. Michael the Archangel the Free Rent of one shilling sterling money for every fifty acres.

"Given at my office * * * the fifth day of May in the first day of his Majesty George the third, 1761."

At that time the market towns of the producers of the Shenandoah County were Fredericksburg and Alexandria. Peter Ruffner continued to live and prosper where he first settled for 49 years. His death occurred in 1788 at the age of 76 years. His wife lived 10 years longer, and died at 84. They left five children, four sons and one daughter.

The Big Spring home place was inherited by Peter's fourth son and namesake, whose daughter Mary became the wife of Marye. This Peter the second had eleven children, one of whom Jonas succeeded to the ownership of the homestead. He built the brick residence occupied by the Chapman family. He donated the site of Luray, and is jestingly reported to have said "the land is poor and much of it too steep to plough—so you may have it!" I mentioned Jonas particularly because all of his fourteen children except one went to Kanawha about 1840, though the most of them passed on farther West. One of the daughters, Rebecca, married Frank Ruffner, and another, Mary Ann, married John B. Davenport. Descendents of these two families still live in Kanawha.

To return to the immediate family of the first Peter, his eldest son Joseph was the progenitor of all the Kanawha Ruffners except the few just mentioned; but I postpone the full account of him until my next number, in order that I may mention a few miscellaneous items.

The celebrated Luray cave is so much a matter of public interest that I will mention some facts concerning it. The

hill in which the cave is situated belonged in early days to the Ruffner family. So far as I can learn the first discovery of a cave in the hill was made by one of the sons of Joseph Ruffner, who went out soon afterward to Kanawha, and became one of its most prominent citizens. This cave is entered near the top of the hill, and is not the same as the one now so much visited; though there is scarcely a doubt but they are connected. It was probably in 1793 or 4 that Ruffner, then not grown, and a companion, chased a fox into a hole. Ruffner digged for him, and to his astonishment uncovered the mouth of a cave, the opening to which descended vertically into the earth a distance of perhaps 30 feet. The hole remained open, but was not explored immediately on account of the formidable look of the entrance. After a time, however, the cave was entered by a Ruffner. As to this point the testimonials are unanimous, but I have not been able to determine just which of the Ruffners it was. The best account we have of the attempt at exploration was published in the Shenandoah Herald in 1825. This account was copied in the Virginia Gazetteer, and in the Lexington, Virginia, Intelligencer the same year, and has formed the basis of most of what has been said about it. In 1880 two college-bred gentlemen visited Luray, and published what they could gather in their little book of travels under the names of "Ego" and "Alter." They were thoroughly trustworthy, and I will quote their account of the adventure, as follows:

"A Mr. Ruffner who was nearly as much celebrated for deeds of Sylvan prowess as the renowned Putnam, in passing this cave some thirty years ago, namely, in 1795, conceived the bold and hazardous design of entering it alone. He accordingly placed his rifle across the mouth to indicate, in case of accident to his friends in case they should happen to see it, that he was in the cave. He descended, but soon fell and put out his light, and as must have been expected, was soon bewildered and lost in its labyrinth of passages. It happened that some of his friends in passing the cave discovered his gun, and rightly concluding that he had gone into it, they procured lights and entered in search of him. They found and brought him out after he had been in for forty-eight hours. This brave fellow was among the pioneers who were foremost in exploring and settling our Western frontier; and was at last killed by the Indians after having performed deeds of valor which would have done honor to the character of a hero."

This cave was long known as "Ruffner's Cave," and was so put down on the old maps. I have a map now with the cave thus marked. One feature of the tradition is not men-

tioned by "Ego" and "Alter," namely, that Ruffner dropped a pine sapling into the vertical mouth of the cave, and used it as a ladder.

With regard to the Ruffner who is above mentioned as the first who entered the cave—it could not be Daniel, for he was not an Indian fighter, and was not killed by the Indians. The early Ruffners were Mennonites, an anti-war sect, and could not be expected to furnish many fighters; but Schuricht in his history of the Germans in Virginia names a number of noted Indian fighters among the early settlers, and among them "George Ruffner." But I have no other knowledge of him. In fact the first three generations of Ruffners were so prolific that there is no record in existence of all their names.

So far as my information goes, I should incline to assign the early fighters to the family of Emmanuel, the youngest son of the first Peter. He had a large family and was himself a giant in size and strength. His arm is reported to have been as large as the leg of a common sized man. In 1805 he removed to Fairfield County, Ohio. Concerning his family history I have almost no accurate knowledge; but I always suspected that it was one of his sons who performed a remarkable feat, which was reported in the newspapers many, many years ago under the caption of "Ruffner against Crockett." In order that the story may not be wholly forgotten I will tell it here as I remember it.

Ruffner, who lived on the bank of the Ohio, was roused from sleep one winter night by the violent barking of his dogs which were driving some animal into the River. Ruffner dashed down the bank, thinking the animal was probably a deer, and when he found that the dogs and their game had taken water, he plunged in after them. Ice was running freely in the river, but on he went, and when he reached the other side he found his dogs in fierce conflict with a large black wolf. But the wolf slashed the dogs so savagely as to clear the space around him, and there he stood ready to fight the master. Ruffner was in his night-clothes and without any sort of weapon, but he set the dogs on him again, and whilst they were scuffling in the edge of the water, he seized the wolf by the hind legs and tried to drown him, but failing in this he swung him high in the air, and brought his head down upon a rock, crushing his skull. Such a man as this would consider the exploring of a cave an easy venture.

Peter Ruffner the elder had one son and a daughter who were content with their Hawksbill farms, and never went West; but he had another son who possessed the adventurous

spirit of the early Ruffners, and went off with his family to Kentucky.

Peter Ruffner's posterity now considerably exceed one thousand in number, a goodly increase in one hundred and sixty-five years.

Lexington, Va., April 10, 1901.

INTERESTING INCIDENTS IN THE EXPERIENCES OF AN OLD KANAWHA CITIZEN DURING THE CIVIL WAR.

Editor Historical Magazine:

I have read with interest your first issue, and look forward with pleasure to succeeding numbers. If on the same high plane, they must prove of service and pleasure to all, but epsecially to "old timers" who can recall many of the persons and incidents; or who were themselves witnesses and actors.

In Kanawha historical parlance, "speaking of gunflints reminds me of shooting sqirrels." The article by our recently deceased friend and old-time comrade, Levi Welch, on the little known but rather remarkable battle of Scary Creek, relates the capture of four Federal colonels: Woodruff, DeVilliers, Norton, and Neff. And this recalls an incident connected with the latter named, which was related to me in person by William Chauncey Brooks, whom all the older citizens of Charleston and Kanawha county will remember; and which goes to prove the truth of the old saws "We travel around in a circle," and "This is a small world after all."

Mr. Brooks had been serving for some months as a volunteer aide on General R. E. Lee's staff, and had reached the conclusion that the South was too much exhausted to continue the struggle much longer east of the Mississippi River. Hearing General Lee say that he wished to send dispatches to General E. Kirby Smith, who was in command of the trans-Mississippi department, he offered his services, which were accepted. He also applied for leave to remain with General Smith, believing that if the Confederacy was crushed east of the Mississippi, it would continue the struggle

west of it. Leave was given him to stay: partly no doubt because of the difficulty and danger of getting through and back, as the river was closely blocked by the Union forces.

Mr. Brooks dressed in civilians' clothes, and with the dispatches concealed on his person, took the train from Richmond, intending to go as far as possible by rail, and then by horse. Early the Sunday morning following, the train ran into Huntsville, Ala., and into a raiding party of Federal troops, which had just captured the town. The train was at once surrounded and the passengers ordered off. They were placed in one end of a hollow square of soldiers, across which a line of guards were stationed, and they proceeded to parole the prisoners, turning them one by one, when paroled, into the other end of the square. This placed Mr. Brooks in an extremely awkward position. If he gave parole it ended his mission, and important dispatches could not be delivered. If he refused he would be carried away captive, with only the faint hope of escape. He was forced to think and act quickly; and decided to appeal to the commanding officer for release, on the ground of being in citizens' dress and on a peaceful mission. This officer was sitting on his horse, in the dividing line between the two ends of the square, and as Mr. Brooks went up to him, to his great surprise he saw that it was Colonel Neff, whom he had known before the war, and from whom he had bought many stocks of goods, and who was captured at Scary and exchanged. He spoke to him and the Colonel, after looking at him a moment, exclaimed, "Why Brooks, what on earth are you doing here?" Mr. Brooks explained that he had been on the captured train, and was trying to make his way south out of the way of the armies. They fell into talk of old times and present troubles, and while thus engaged the Colonel's bridle rein became twisted around the shank of the bit, and as he leaned over to try to straighten it, Mr. Brooks said, "Allow me to fix it Colonel," and stepped around the horse's head to do so. This put him in the same end of the square as the paroled prisoners; and after some further conversation he walked off quietly among them and so escaped parole.

When the prisoners were turned loose, Mr. Brooks started through the town to try to get out as quickly as possible. He feared that if Colonel Neff should look over the list of paroled prisoners, and not see his name, he would have him again arrested. All his clothing was on the train, but he dared not go back for it, as they might ask him to show his parole. So he went out to the limits of the town, intending to walk out into the country, buy a horse and so go on. For-

tunately his money and the dispatches were on his person. But he found every exit closely guarded, and he was turned back at every point. Passing along a quiet street he saw a large, old fashioned, typical Southern house, well back in a large yard and in despair of devising any method of escape himself, he determined to apply to the inmates of this house, believing they must be true Southerners. His instinct led him aright. The owner was an aged "gentleman of the old school," who cordially invited him in, listened to his story, and at once entered into plans for his escape. They attended a funeral that afternoon, and after the burial the gentleman led Mr. Brooks to the far side of the cemetery, pointed out a path through the woods, told him to follow it for a few hundred yards, and he would come out on the main road where he would find a colored boy with two horses who would pilot him to a friend about twenty miles away, to whom he gave Mr. Brooks a letter, asking this friend to help Mr. Brooks to get on. He pressed both money and clothing on Mr. Brooks, who declined the favor but took a change of underwear, and after thanking the gentleman warmly left him, found the boy and horses, and after much hard riding, and many delays and narrow escapes, reached General Smith and gave him General Lee's dispatches.

Mr. Brooks remained with General Smith until the surrender, taking part in the campaign in which General Dick Taylor so completely defeated General Banks on Red River. This is the last I have ever heard of Colonel Neff. Perhaps some one of your readers can throw further light on his life; or death. Colonels Woodruff and DeVilliers became brigade commanders under Sherman, and the writer saw and met them a number of times in Louisville, Ky., during the last two years of the war. Colonel DeVilliers at one time "requisitioned" his house, cook, eatables, etc., and some fifteen officers of his brigade took their meals there. Although this was of course very disagreeable and trying, to strong Southerners, and although these officers knew perfectly well their sentiments, I do them the justice to say, that they protected us from depredation by their troops, who were camped all around our house; paid for everything they used, and generally acted as gentlemen, leaving a pleasant memory instead of bitterness.

W. B. BROOKS.

PERSONEL OF THE SEVERAL STATE ADMINISTRATIONS SINCE THE FORMATION OF THE STATE.

GOVERNORS.

Arthur I. Boreman, Parkersburg, June 20, 1863, February 26, 1869.

Dan D. T. Farnsworth, Buckhannon, February 27, 1869, March 3, 1869.

William Erskin Stevenson, Parkersburg, March 4, 1869, March 3, 1871.

John J. Jacob, Romney., March 4, 1871, March 3, 1877.

Henry Mason Mathews, Lewisburg, March 4, 1877, March 3, 1881.

Jacob Beeson Jackson, Parkersburg, March 4, 1881, March 3, 1885.

E. Willis Wilson, Charleston, March 4, 1885, February 6, 1890, March 4, 1889, pending Goff-Fleming contest.

Contest in 1899 by A. Brooks Fleming, Democratic candidate, against Nathan Goff, Republican, who claimed election on face of returns by 110 majority.

A. B. Fleming, Marion, February 6, 1890, March 3, 1893.

William A. MacCorkle, Charleston, March 4, 1893, March 3, 1897.

Geo. W. Atkinson, Ohio, March 4, 1897, March 3, 1901.

A. B. White, Parkersburg, March 4, 1901.

SECRETARIES OF STATE.

J. Edgar Boyers, Tyler, June 20, 1863, March 3, 1865.

Granville D. Hall, Harrison, March 4, 1865, March 3, 1867.

John S. Witcher, Cabell, March 4, 1867, February 24, 1869.

James M. Phelps, Marshall, February 25, 1869, March 3, 1871.

John M. Phelps, Mason, March 4, 1871, March 3, 1873.

Charles Hedrick, Kanawha, March 4, 1873, March 8, 1877.

Sobieski Brady, Ohio, March 9, 1877, March 3, 1881.

Randolph Stalnaker, Jr., Greenbrier, March 4, 1881, March 3, 1885.

Henry S. Walker, Kanawha, March 4, 1885, April 20, 1890.

William A. Ohley, Marion, April 21, 1890, March 22, 1893.

William E. Chilton, Kanawha, March 23, 1893, March 3, 1897.

William M. O. Dawson, Preston, March 4, 1897, March 3, 1901.

William M. O. Dawson, Preston, March 4, 1901.

ATTORNEY GENERALS.

Aquilla Bolton Caldwell, Ohio County, June 20, 1863, December 31, 1864.

Ephriam B. Hall, Marion, January 1, 1865, December 31, 1865.

Edwin Maxwell, Harrison, January 1, 1866, December 31, 1866.

Thayer, Melvin, Ohio, January 1, 1867, January 1, 1869.

Aquilla Bolton Caldwell, Ohio, July 1, 1869, December 31, 1870.

Henry Mason Mathews, Greenbrier, January 1, 1873, March 3, 1877.

Robert White, Hampshire, March 4, 1877, March 3, 1881.

Cornelius C. Watts, Kanawha, March 4, 1881, March 3, 1885.

Alfred Caldwell, Ohio, March 4, 1885, March 3, 1893.

Thomas S. Riley, Ohio, March 4, 1893, March 3, 1897.

Edgar P. Rucker, McDowell, March 4, 1897, March 3, 1901.

Romeo H. Freer, Ritchie, March 4, 1901.

STATE AUDITORS.

Samuel Crane, Randolph, June 20, 1863, March 3, 1865.

Joseph Marcellus McWhorter, Roane, March 4, 1865, March 3, 1869.

Thomas Boggess, Roane, March 4, 1869, March 3, 1871.

Edward A. Bennett, Marion, Mar. 4, 1871, Mar. 3, 1877.

Joseph S. Miller, Cabell, March 4, 1877, March 3, 1885.

Patrick Fee Duffy, Webster, March 4, 1885, March 3, 1893

Isaac V. Johnson, Barbour, March 4, 1893, March 3, 1897.

L. M. LaFollette, Taylor, March 4, 1897, March 3, 1901.

A. C. Sherr, Mineral, March 4, 1901.

STATE TREASURER.

Campbell Tarr, Brooke, June 20, 1863, March 3, 1867.
Jacob H. Bristor, Berkeley, March 4, 1867, March 3, 1869.
James A. Macauley, Ohio, March 4, 1869, March 3, 1871.
John S. Burdett, Taylor, March 4, 1871, January 30, 1876.
Sobriski Brady, Ohio, January 31, 1876, March 3, 1877.
Thomas J. West, Harrison, March 4, 1877, March 3, 1881.
Thomas O'Brien, Ohio, March 4, 1881, March 3, 1885.
W. T. Thompson, Cabell, March 4, 1885, March 3, 1893.
James M. Rowan, Monroe, March 4, 1893, March 3, 1897.
M. A. Kendall, Wood, March 4, 1897, March 3, 1901.
Peter Silman, Kanawha, March 4, 1901.

SUPERINTENDENTS OF FREE SCHOOLS.

William R. White, Marion, June 20, 1863, March 3, 1869.

H. A. G. Ziegler, Barbour, March 4, 1869, February 17, 1870.

Alvin D. Williams, Taylor, February 19, 1870, March 3, 1871.

Charles S. Lewis, Harrison, March 4, 1871, December 31, 1872.

William K. Pendleton, Brooke, January 1, 1873, March 3, 1873.

Benjamin W. Byrne, Clay, March 4, 1873, March 3, 1877.

William K. Pendleton, Brooke, March 4, 1877, March 3, 1881.

Bernard L. Butcher, Randolph, March 4, 1881, March 3, 1885.

Benjamin S. Morgan, Monongalia, March 4, 1885, March 3, 1893.

Virgil A. Lewis, Mason, March 4, 1893, March 3, 1897.

J. Russell Trotter, Upshur, March 4, 1897, March 3, 1901.

Thomas C. Miller, Monongalia, March 4, 1901.

ADJUTANTS-GENERAL AND EX-OFFICIO STATE LIBRARIANS.

T. E. Pierpoint, Marion, June 29, 1863, September 10, 1866.

Thomas Hornbrook, Ohio, September 10, 1866, November 1, 1866.

George W. Brown, Taylor, November 1, 1866, March 3, 1867.

Isaac Hardin Duval, Brooke, March 4, 1867, March 3, 1869.

Thomas M. Harris, Ritchie, March 4, 1869, December 31, 1870.

James M. Ewing, Jr., Ohio, January 1, 1871, March 3, 1871.

Charles S. Lewis, Harrison, March 4, 1871, December 31, 1872.

Benjamin W. Byrne, Clay, March 4, 1873, March 3, 1877.

John L. Cole, Kanawha, March 4, 1873, September 1, 1875.

E. L. Wood, Kanawha, September 1, 1875, March 1, 1881.

W. F. Butler, Jr., Ohio, November 1, 1881, March 3, 1885.

E. L. Wood, Kanawha, March 4, 1885, February 28, 1890.

Benjamin H. Oxley, Kanawha, February 28, 1890, March 7, 1893.

James A. Holley, Lincoln, March 7, 1893, March 3, 1897.

J. W. M. Appleton, Monroe, March 4, 1897, March 3, 1901

S. B. Baker, Wood, March 4, 1901.

LIBRARIANS.

Charles L. Hagan, Marion, April 1, 1891, July 31, 1893.

E. L. Wood, Kanawha, August 1, 1893, March 4, 1897.

Guy T. Scott, Ohio, March 5, 1897, July 14, 1898.

Pleasant S. Shirkey, Kanawha, July 15, 1898, March 3, 1901.

Samuel W. Starks (colored), Kanawha, March 4, 1901.

CHIEF MINE INSPECTORS.

James W. Paul, Tucker, April 20, 1897, May 14, 1901.

James W. Paul, Tucker, May 15, 1901.

JANITORS.

William B. Carter, Kanawha, March 4, 1885, February 26, 1890.

Alex. H. Wilson, Kanawha, February 27, 1890, March 3, 1893.

Alex. H. Wilson, Kanawha, March 4, 1893, March 4, 1897.

Charles N. Smith, Kanawha, March 5, 1897, March 3, 1898.

A. J. Spaulding, Kanawha, March 4, 1898, March 3, 1901.

J. W. Griffiths, Mason, March 4, 1901.

MAJOR JAMES GRANT LAIDLEY.

From advance sheets of "Annals of Wood County, A Century's Progress, from Pine-knots to Electric Lights,"

By Alvaro F. Gibbens, A. M.

"The original spelling of this honorable name was in Scotland, "Laidla," and "Laidlaw." Such changes in family history were common in colonial and later era, mainly springing out of a division in fealty toward the mother country among members of the same name and parentage. Three brothers came to America in early day, prior to the war of the Revolution. James who located on the Isle of Jamaica, John in the territory of Louisiana, and Thomas in New York. The last mentioned took sides with the Colonies in the Revolution, and fitted out and equipped a gunboat on the Delaware River. Scottish patriotism, under the skies of the new world, never measured duty by prospective profit.

For a short period after the Revolutionary War terminated, Thomas resided at Philadelphia and then drifted, with the spirit of adventure, to the wilderness west of the Alleghenies, planting his pioneer cabin in Virginia at Morgan's Town, and associated his interests with Hon. Albert Gallatin, who then owned lands along the Monongahela river. He also possessed the first store or mercantile establishment there, in 1783, in Monongalia section, and among the articles in stock was a constant supply of bear skin and reindeer coats, the outfit characteristic of a pioneer in the Indian era. Then extra gold, and furs and skins were sent to Richmond, by pack-horse over the heights and often swollen streams, to purchase land warrants. Warrants from the Virginia land office were generally the evidence, among traders, of a surplus or accumulated wealth, and used to liquidate indebtedness of large amounts.

He was a member of the Virginia House of Delegates in 1797-8 and 1800-1, and was a Federalist. He died in 1838, at the residence of his son John O., in Cabell county. He was father of eight children, the eldest being James G., partly initialed from his friend Gallatin, who was born in Philadelphia in 1780.

He was educated at Petersburg, Va., and there studied law with Chancellor Wythe. On admission to the Bar, he removed, in 1802, to Newport, the new and attractive village on the Ohio river, near the mouth of the Little Kanawha river, now historic as Parkersburg, and casting his lot in with the pioneers of the recently formed county, soon rose

to influence and distinction. He was genial, patriotic, fond of militia duty and honors, and very popular with his associates.

He interested himself, at the March, 1803, term of the Justices' Court, in the issue of naturalization papers, which made the Irish barrister, Herman Blannerhassett, an American citizen. Thereafter he became so ardent a friend of his that when he was summoned as a juror, during the famous Aaron Burr trial in Richmond, he was challenged, and set aside as one having formed and expressed an opinion touching the case. His neighbors then well understood that he, without reserve, exculpated his artless friend, and condemned unequivocally the deceiver, the wily and ambitious head of a mysterious and daring movement.

He was, at the September court in 1803, selected as treasurer of the county, and in May, 1804, commissioned escheator of lands. At the September term, on 3d, 1805, he was chosen by the Justices as Commonwealth's Attorney, which officer, then more than now, was expected to shape the conduct of local officials, and blaze out a course to be pursued in essential affairs. He was elected as delegate to represent Wood county in the West Virginia Assembly, and served several successive years between 1803 and 1810. He became interested, like many of the pioneers, in land warrants, hatchet claims, and town building, and was a factor in the strife between contending Justices over the location of the county seat.

In 1806 he wedded Harriet B., daughter of Alexander Quarrier. To them were born three children, Cordelia D.—dying in 1816,—and Alexander T., both born April 14th, 1807, and James Madison, born Jan 9th, 1809. The sons, years afterwards, with their mother, located in Charleston, and there were not only respected but influential, but made impression upon the laws and destiny of that section. They both resided in pleasant and hospitable homes, one clerical and literary in his tastes, and the other political and legal in attainments. The widowed mother died April 5th, 1875, among a host of relatives and earnest friends.

The county records show that in October, 1809, he was recommended to the Governor of Virginia and Council to be captain of a rifle company, then formed, and to take place in the 113th Regiment of Militia. He was commissioned and qualified on the 7th of November as officer in command. Through his efforts the company had enlisted and entered the army of volunteers in the Northwest Territory, and served with them during the war of 1812, under General Wm. H. Harrison. For his valor and daring in one of the

engagements with the Indian allies of Britain, he was brevited major.

Owing to the excellent discipline of her militia, and the valor and patriotism of her citizens, nearly all sons of Revolutionary sires, no section of the Mother State, in proportion to population, did more active service in the second war with Britain than those of Wood County from the borders of the Ohio. From Norfolk to the Northwest, they were brave and stalwart in fighting the English invaders and Indian allies.

The following tender of service of Rifle and Cavalry companies, was made by letter from Parkersburg, dated May 23rd, 1812:

To the Governor of the Commonwealth of Virginia:

We are requested to communicate to you by Thirty-six of the Cavalry, including Lieutenants and Cornet; by forty-six of the Rifle Company, including Lieutenants—the former armed with swords and pistols each, the latter with rifles all in good order and attached to the 113 Regiment—that they, with us, are prepared to move, at moments' warning, whenever called, by the constituted authorities of our country.

In making this tender, we are proud to say that the men under our respective commands, are not common militia who have not had the advantage of the use of public arms. We feel, sir, that the State has done much for us—forty swords, an equal number of pistols, and fifty rifles have been presented to us. We wish to use them in defence of the violated rights of our beloved country. Though we might feel safe from British outrages—though we may not fear the depredations of the savages—from our peculiar local situation, yet we are members of the great Union, and our lives shall be devoted to the security of the whole.

In addressing you, sir, on the subject we cannot pass over your circular letter to the Colonels of the Regiments. We discover patriotism, zeal, and energy for the rights of an injured abused country. Accept sir, our wishes for a continuance in an office that will be productive of much good to our State, and honor to yourself, and accept of our wishes for your individual prosperity and happiness.

We are very respectfully, your obedient servants,

NIMROD SAUNDERS,
Captain of Cavalry.
JAS. G. LAIDLEY,
Captain of Rifle Company.

In confirmation of the above statement of experience in the use of fire-arms, the minutes of the County Court, October 2nd, 1809, show the formation of the Rifle Company in these words:

It appearing from the 4th Section of the Act of Assembly passed January 20th, 1807, that the Company of Light Infantry in the 1st Battalion of the 113 Regiment hath abated, ordered that James G. Laidley be recommended to Governor and his Council as Captain, Timothy Darling, Lieutenant, and Tunis Dils, Ensign, of a Rifle Company in lieu thereof, they having been chosen by the Company.

It is related of him—not of his father as another biographer states it—that when in the thickest of a close engagement with the Indians, observing some of his men hesitating with fear of their cruel foes, he promptly seized a rifle and shot down one of the painted band, who falling in their sight, so encouraged and enspired their failing courage, that with restored confidence and daring they won the battle. For this conspicuous valor, and want of fear, he was officially complimented by his superior and brevitted in promotion.

Upon return from active service he resumed his law practice, but still performed duty as an officer in the Militia of Wood County. He resided upon and owned a tract of land along Pond run, not many miles from the junction of rivers, as in February, 1810, he was granted permit to erect a dam therein for a water grist-mill. When Prosecuting Attorney, on the 4th of June, 1810, he took the oath to enforce the legislative edict to "suppress dueling in the county." That pledge was a healthy restraint upon the otherwise hot blood of an impetuous and too sensitive generation, and transferred for a while the theatre of personal warfare and aggrieved honor across the Ohio, into the almost unexplored Nortwest plain of Belpre.

He was the friend and intimate associate of the forensic orator Philip Doddridge, and the statesman, General Lewis Cass, then a resident of Marietta, possessing many mutual endowments and capabilities attractive to each other. Both these afterwards renowned associates of Laidley, were practitioners at the Bar of Wood County, Cass having married a daughter of pioneer D. Joseph Spencer, of Vienna, on this side of the river.

He died in Parkersburg, about the epidemic era, Sept. 5th, 1812, and was there buried in the old Cook graveyard, now titled Riverview Cemetery. The memorial stone is plain sandrock, with the inscription legible, but fast disappearing from attrition of rain and winter storms. His widow with her sons, each ardently attached to the other, dwelt many happy years in the Great Kanawha Valley. She was a Presbyterian in faith, loved by many and attained the age of eighty-eight years. No direct descendants, it is believed, now resides within the county of Wood.

HISTORY OF THE GREAT KANAWHA RIVER SLACK WATER IMPROVEMENT.

PREFACED BY A SHORT SKETCH OF THE EARLY NAVIGATION, BEFORE THE LOCK AND DAM IMPROVEMENT.

BY J. P. HALE.

Before the advent of the white man the only water crafts that had ever floated on the bosom of this beautiful stream were the bark canoes and more substantial dug-outs of the aboriginal tribes. The first record of its navigation by whites was in 1774, when Gen. Andrew Lewis, on his way with his army to Point Pleasant, had some canoes constructed at the mouth of Elk river, on the present site of the city of Charleston, in which he transported at least a part of his army supplies and ammunition, which had been brought thus far on pack horses, which were much jaded and worn by the hardships of the rough journey through the wilderness.

In 1788, when Clendenen's fort, or Fort Lee, at this point was apprehensive of an attack by Indians, Fleming Cobb, an expert waterman and woodsman, was despatched to Fort Randolf, at Point Pleasant, by canoe, single-handed, for a supply of powder, lead and gun-flints (all fire arms at that day had flint locks.) He made the trip successfully, though at great risk and by a narrow escape from the Indians, by whom he was pursued.

During the same year the inmates of Fort Tacket, at the mouth of Coal river, being out of salt, sent a canoe up to the salt spring at the mouth of Campbell's Creek, filled it with salt water, floated it back to their fort, where they dipped it out and boiled it down in their kettles and pots, saving the residual salt. Not long after this, Fort Tacket was attacked by the Indians, and nearly all the inmates killed or captured; but John Young made his escape under cover of darkness, by carrying his young wife and a one-day-old babe in his arms to a canoe at the river bank (probably the same one that had brought down the salt water) and poled his way up to the Clendennin fort during the night and through storm and rain.

When salt began to be made here in quantities greater than the neighborhood demanded, it was shipped to the new

settlements down the river by canoes. The first shipment on a more pretentious scale was in 1808, when a log raft was formed by fastening the logs together by hickory poles, when a lot of salt was packed in empty bacon hogsheads and barrels and placed on it and floated down to the new setlements.

When the Indian troubles and dangers were somewhat quieted, and settlements were being made, first in Northern Kentucky and later in Southern Ohio and Indiana, there was a large emigration through this valley to those new and wild western homes. They embarked from the mouths of Hughes and Kelleys' Creeks, where there were boat-yards, and family moving boats were constructed for their accommodation.

The salt interest as it grew in extent and importance adopted this method of transportation, increasing the size and capacity of the boats until they got up to over 300 tons burden, carrying 2,000 to 2,200 barrels of salt. This class of boats were not suited to up-stream navigation, and were usually sold below for what they would fetch.

The early up-stream freighting of family supplies, &c., was by ribbed-keel bottomed boats, called batteaux. These goods came to this valley in the early days from the new towns of Cincinnati, Pittsburgh and Limestone, now Maysville.

The first steam boat to attempt the navigation of this river, in the early days of steam boating on the western waters, was the Robert Thompson, in 1819. She ascended as far as Red House Shoals, but lacking power to stem the swift current at that place, abandoned the effort and returned.

In December, 1820, the Andrew Donnally, built for Messrs. Andrew Donnally and Isaac Noyes, salt manufacturers of this neighborhood, made the first successful run to Charleston, and others soon followed, thus inaugurating the era of steam navigation on this river.

Previous to 1820 there had been no formal or organized effort made to improve the navigation of the river. A few rocks and sunken logs had been removed from the natural channel, and projecting trees and pendant timber cut off by the early flat boatmen who steered out the primitive salt boats and moving plunder boats of the early western emigrants; but the failure of the Thompson and the success of the Donnally were so significant and suggestive, and were considered of so much importance by the Legislature of Virginia that at their session of 1820-'21 they passed an order directing the "James River and Kanawha Company."—in which the State held large stock—to so improve the naviga-

tion of the Kanawha river as to secure not less than three feet depth of water for navigation all the year round, from the mouth to the Falls, about 96 miles. Little did they then appreciate the magnitude of the problem they had attempted to solve.

The execution of this order was delayed, awaiting preliminary examinations and surveys, until 1825, when a system of sluices and wingdams was commenced and prosecuted for some years. Messrs. Moore and Briggs were the contractors. They cut the old chute through the rock at Red House, the chute between the islands and through the tow head of Tyler Creek; cut the chute and built the wing-dams at Debby, Eighteen, Knob, Tacket, Johnson, &c., so well remembered by the old salt flat-boatmen of thirty to fifty years ago.

In 1838 the "James River and Kanawha Company" ordered a thorough survey of the river with a view to securing three and one-half feet of navigable water at all seasons. This survey was made by Mr. Edward H. Gill, engineer, under Colonel Charles Ellett, Jr., chief of engineer the company; but no further steps were taken at the time. About 1855-6 there were commenced large shipments of cannel coal from Cannelton and from Elk river; Splint coal from Field's Creek from about Paint Creek and Armstrong's Creek; also large shipments of cannel coal oil, manufactured at Cannelton, on Field's Creek, Paint Creek and Elk river. This was before the days of oil wells, and as both the coal and oil shipments were then expected to increase to a very large extent, and as salt was then very largely manufactured here, a better navigation was urgenty demanded.

"The James River and Kanawha Company," acting with and through a sub-board of directors here, undertook to provide such facilities for navigation as the then wants of the country required.

A new survey of the river was made in 1855 by Engineer John A. Byers, under Colonel Charles B. Fisk, chief engineer of the company. Two systems of river improvement were pretty thoroughly examined and described by the board; the sluice and wing-dam and the reservoir plan; the latter was proposed and advocated by the late eminent chief engineer, Colonel Charles Ellett, Jr., in a report to the James River and Kanawha Company in 1858. This interesting report was published and quite extensively read and commented on at the time by engineers and those interested in the river. Colonel Fisk advocated an extensive system of graded sluices, and subsequently, Mr. E. Lorraine then chief engineer, proposed

a combination of Fisk's and Ellett's plans, i. e., the graded sluices assisted in low-water stages by reservoirs. This plan contemplated large lake-like reservoirs near the heads of the streams—chiefly on Gauley river—the water to be let out as required to keep up a navigable stage of water in the Kanawha below, and received very favorable consideration; but, though plausible in theory, it was an untried experiment, and the conservative boards decided to enlarge, improve and extend the old sluice and wing-dam system, and about 1860 put the work under contract of Messrs. Barton and Robinson, and it was in progress when suspended by the civil war.

After the separation of the State in 1863 West Virginia took charge of the Kanawha river, and created a Kanawha board to carry on this improvement, collect tolls, &c., as the James River and Kanawha Company had been doing.

Notwithstanding the fact that the navigation had been greatly improved within the past few years, it was manifestly inadequate to the wants of the rapidly increasing population and business of the valley.

Having admittedly one of the finest coal fields on the continent, it was, practically, almost valueless for want of safe reliable and economical transportation to markets.

As there was no local financial ability equal to the task of constructing such an improvement as would fully develop this great interest and effectually serve it and the other rapidly growing interests of the valley, it was determined to apply to the general government for aid in the matter.

In 1871-72 a lively interest was gotten up throughout the west in relation to the improvement of the navigation of the internal waterways by the general government.

A commission was appointed by the several States bordering on the Ohio river and tributaries to gather facts and statistics in regard to the trade, the capacities and the wants of the improvable rivers.

In the line of their duties the commission went to Washington and submitted to the Senate Committee on Transportation facts, figures and arguments in relation to the improvement of the several rivers, the Great Kanawha included; they also had a conference with President Grant, who was favorable to and encouraged this class of public improvements.

About this time there was a revival of the old Washingtonian idea of connecting the Ohio river and tidewater through the James and the Kanawha rivers, and the extension of the James River and Kanawha Canal. At the sugges-

tion of the commission, supported by the representatives of the States above mentioned, Congress appointed a Senatorial committee composed of Senators Windom, Conklin, Sherman, Bayard, Beck and Henry G. Davis, accompanied by the able government engineers, Colonel Q. A. Gilmore, Colonel Godfrey Weitzel and Colonel W. E. Merrell, to go over the ground, investigate generally and fully and report as to the importance, practicability and cost of the contemplated work.

They published a voluminous and thoroughly favorable report, and the government decided to at least improve the Great Kanawha river, which was needed as a local work and could be used as a part of the through line if that should ever be constructed.

IMPROVEMENT OF THE GREAT KANAWHA RIVER BY THE UNITED STATES GOVERNMENT.

In 1873-'4 Congress made two small appropriations of $25,000 each, and in June, 1873, work was commenced on the river under charge of Colonel W. E. Merrell, of the United States Engineer Corps, and Mr. Addison M. Scott, C. E., as Resident Engineer. The first work was to extend on a larger scale, what the Kanawha board was doing in a smaller way—that is, dredging out the sluices and building wing-dams to accommodate the immediate and current needs of navigation; but it was considered that nothing short of slack water, by locks and dams, would give a reliable, safe and permanent navigation.

In 1874 the work was placed under charge of Colonel William P. Craighill, of the United States Engineer Corps. That fall (1874) a survey for a slack-water improvement was made by the Resident Engineer, A. M. Scott, assisted by Civil Engineers C. K. McDermott and J. S. Hogue, and preliminary location for locks and dams made from Loup Creek to the mouth of the river, and under date of January 29, 1875, Mr. Scott submitted a report, with estimates of cost, to Colonel Craighill on three different systems of improvement, viz:

First—For a lock and dam improvement from the Falls to foot of Paint Creek, and for sluice navigation in the remainder of the river, assisted by a reservoir on Meadow river.

(The combination of Fisks and Ellet's plans recommended by Mr. Lorraine.)

Second—For a lock and dam improvement, by fixed dams, throughout.

Third—For fixed dams in the upper and movable dams in the lower part of the river.

In this report (published in the Report of the Chief of Engineers for 1877) Mr. Scott decidedly recommended a lock and dam improvement in stead of the old reservoir and sluice plan.

In March following Congress appropriated $300,000 with which to commence the permanent improvement of the river. Soon after a board of engineers, consisting of General H. G. Wright, Colonel William P. Craighill and General O. M. Poe, recommended the adoption of the lock and dam slack water improvement, with the use of permanent dams at and above Paint Creek and movable or adjustable dams below that point. The recommendation was approved and adopted by the authorities at Washington, and in the fall of 1875 locks Nos. 4 and 5 were put under contract.

It was at first contemplated to have twelve locks and dams from the falls to the mouth of the river. There were to have been three fixed or permanent dams and nine movable dams. The estimated cost of whole complete was $4,071,216. No. 1, which was to have been a fixed dam and located at the foot of Loup Creek Shoal, was considered of less urgent necessity than the others, and has not been constructed.

In the progress of the work it was found, by careful measurements and engineering calculations, that one of the nine movable locks and dams could be dispensed with by dividing the lift between the others, which was done, thus reducing the whole number in the series to ten instead of eleven or twelve.

The following table furnished by the resident engineer, from the records of the U. S. Engineer Office in Charleston, gives the location of the several locks and dams, the dates of completion, size of locks, lifts, etc.:

No. of Lock and Dam.	Location of Locks and Dams.	Distance from mouth of River.	Style of Dam.	Height of Upper Pool above sea level.	Maximum lift.	Length of Dam.				Lock Dimensions.		Remarks.
						Navigation Pass.	Center Pier (width).	Weir.	Total.	Clear width.	Length between Groins.	
		Miles		Feet	Feet	Feet	Feet	Feet	Feet	Feet	Feet	
2	1 Mile below Montgomery....	84½	Fixed	597.75	10.53	....	....	....	524.0	50	308	Finished in 1887
3	1 " " Dego.....	79½	"	587.42	13.67	...	....	....	564.5	50	312	" " 1882
4	1½ " " Coalburg.....	73¼	Movable	573.75	7.25	248.0	10.0	210.0	468.0	50	300	" " 1880
5	9¼ " above Charleston.....	67¼	"	566.50	7.50	250.0	13.5	265.5	529.0	50	300	" " 1880
6	4 " below Charleston.....	54	"	559.00	8.50	248.0	10.0	310.0	568.0	55	342	" " 1886
7	1¼ " " St. Albans.....	44	"	550.50	8.25	248.0	10.0	216.0	474.0	55	342	" " 1893
8	2½ " " Raymond City.....	36	"	542.25	8.00	248.0	10.0	292.0	550.0	55	342	" " 1893
9	3¾ " above Buffalo.....	25¼	"	534.25	6.25	248.0	10.0	284.0	542.0	55	342	" " 1898
10	2½ " below Buffalo.....	19	"	528.00	7.00	248.0	10.0	284.0	542.0	55	342	" " 1898
11	Foot Three Mile Bar.....	1¾	"	521.00	11.20	304.0	10.0	364.0	678.0	55	342	" " 1898

Low water in Ohio River at mouth of Great Kanawha River, 509.80

As shown by the table, the chambers of all the locks below Charleston are 5 feet wider and 42 feet longer than those above. This enlargement is of great value to navigation, particularly to the coal shipping interests, and was decided on after the first locks were built. It, of course, increased quite materially, the cost of these locks over the first estimates.

In constructing locks and dams Nos. 4 and 5, numerous modifications of detail, both in the foundation and movable parts, were suggested. These changes were adopted in building lock and dam No. 6 and proved to be valuable. Still further modifications and improvements were made in the works below lock No. 6. Lock and dam No. 6, however, (located four miles below Charleston) is in its important feature typical of the locks and dams below Charleston and a full description of its construction and operation will answer for the series.

Mr. A. M. Scott, resident engineer, has obligingly furnished me with the following lucid and detailed account of the construction and method of operating this lock and dam. His description here follows:

LOCK AND DAM NO. 6.

The Lock.—The extreme length of the lock is 410½ feet. It is 342 feet between quoines and 55 feet wide, in the chamber at the top of the miter sill.

It is all of cement mortered masonry, faced with cut and smooth-pointed stone, built on the solid rock. The rock was found here at depths of eleven to twenty-two feet below low-water mark.

The top coping is 21 feet 9 inches above the miter sills. The foundations extend from 5½ to 16½ feet below the sills, making the walls from about 27 to 38 feet in height from the rock. The walls are from 15 to 19 feet thick at the bottom and from 5 to 17 feet at the top. The lock gates are of white oak, strongly bolted and ironed. These gates were built on the bank near by; they are 22 feet high, 32 feet 8 inches long and 2 feet thick, each leaf weighing, with valves and other irons attached, about 38 tons. The gates were lowered from the bank to the river on inclines, towed to their recipes and raised and hung by hand crabs and steam hoisters; they rest and turn on steel pivots and are suspended at the top by iron, steel and bronze fastenings, attached to heavy wrought anchors built in the masonry. The upper fastenings are all be-

low level of coping, and are covered with movable castiron plates.

The lock chamber has a clear working space of 312 feet in length by 55 in width, sufficient to admit one of our largest low boats with three of the large sized coal barges, or four of the largest coal barges without a steamboat, at once. The lift of the lock is 8 feet 3 inches when Dam No. 7 is up. (Before No. 7 was built the maximum lift at No. 6 was 10 feet 5 inches.) The emptying and filling valves are in the gates, 5 valves, each 2'40"x4'3", in each leaf. The lock is either filled or emptied at full lift in less than 4 minutes.

Movable Dams on Kanawha River: A towboat with empty barges in Lock No. 6. Other empty barges at the head of the lock.

The Movable Dam.—The entire length of the dam, between the outer face of the lock wall and abutment, embracing the navigation pass, the central pier and the wier, is 568½ feet The foundations are entirely of masonry and concrete, resting on solid rock. The average depth of rock on the line of the dam is about 12 feet below low-water mark.

The sill of the pass is 2 ft. 7 in below low-water. There is 12½ feet of water on the pass sill when the dam is up and the pool full. The foundations of the pass are 50 feet long up and down stream. The pass is closed by 62 Chanoine wickets. The wickets are 3 feet 8 inches wide, or 4 feet between centers (there being a 4-inch space between each) and 13 feet 5½ inches

long. The pass bridge is composed of 30 wrought iron trestles. The trestles are nearly 12 feet wide on the bottom, 4 feet 1 inch on top and 16 feet 8 inches high. They are connected, when standing, by 4 inch "I" beams, which form the track for the manouvering winch, and light wrought iron aprons, which make the floor to walk on. The pass is separated from the wier by the central pier. This is of cut stone masonry 34½ feet long and 10 feet wide. It is built on bed rock and is about 26 feet high, the top of it being level with the top of the service bridge. The bridge when lowered falls toward the pier, and there is a deep recess in the pier into which the nearest trestle lies when the dam is down.

Movable Dams on Kanawha River: View inside of one of the cofferdams at Lock No. 9 during construction. Showing part of the foundations completed and several wickets and trestles in place, standing. One wicket "on swing."

The weir is 310 feet 6 inches long. It is closed by 69 Chanoine wickets, each 7 feet 8 inches high and 4 feet 3 inches wide. The wier bridge is like that for the pass, in construction, but the trestles are not as high. It is connected, when standing, with rails and aprons, like the pass, and with those of the latter form a continuous track for the traveling winch and a foot walk the whole length of the dam from the abutment to the lock. The foundations of the weir are built entirely of masonry, concrete and iron. A peculiar feature of this weir is the castiron sills. The wooden sills, &c., at dams 4 and 5 of this improvement were found to decay rapidly, and iron was accordingly used at No. 6, and on all the dams subsequently built.

The iron sills, trestles, wicket boxes, &c., are bolted to the cut stone coping, making the upper surface of this part of the dam practically indestructible. As before mentioned, the foundations of the dam throughout are of masonry or concrete. In dams 4 and 5 (both finished in 1880) a great deal of oak timber was used in the foundations of both navigation pass and wier. This timber was framed and bolted together and filled with concrete. It was found generally more expensive than masonry and was abandoned as far as practicable in the construction of No. 6. The stone work was found not only better and cheaper than timber, but could be placed faster and saved valuable time in construction. The foundations of the dam were constructed within coffer dams built in sections across the river, from which the water was kept exhausted by large steam pumps.

The pool formed by this work (lock and dam No. 6) is nearly 14 miles long. At lock No. 5, the head of the pool, it raises the water 3 feet 9 inches above low water mark, making 7 feet depth on the lower miter sill there. It makes good 6½ feet for navigation everywhere in the pool at extreme low water. It raises the water at Charleston 4 feet 8 inches above low water mark, and makes good 7½ feet depth for tows at that old "sticking place"—the foot of Elk Shoal.

It makes miles of splendid holding ground for loaded coal barges, affording good water for the purpose almost everywhere in the pool. Pool No. 6 is no doubt destined to be one of the largest and most important coal harbors in the world.

The total cost of lock and dam No. 6, including grounds, buildings and outfit complete, was a little under $337,000.

THE ADVANTAGES OF MOVABLE DAMS.

The experience with movable dams on this river has been

very satisfactory. They are easily and rapidly maneuvered, the expense of operation and maintenance is but little, more than with fixed dams, and they prove highly satisfactory to the river interests.

The movable dams are kept up whenever there is not water enough in the river for coal-boat navigation and down at other times.

The advantages over the ordinary fixed dams for a commerce and river like the Great Kanawha are decided, furnishing the benefits of the usual slack water without its most serious drawbacks. With fixed dams everything must pass through the locks; with them navigation is entirely suspended, too, when the river is near or above the top of the lock walls. With movable dams the locks are only used when the discharge of the river is so small as to make them necessary. At all other times they are down, practically on the river bottom, out of the way, affording unobstructed, open navigation. This is of great advantage to all classes of commerce, and is particularly so with coal, transported, as it is, and empty barges returned, in large fleets. More barges can, of course, be taken by a tow boat, and much better time made by all kinds of crafts in open river, when there is water enough for such navigation, than when the stage of water compels the use of the locks. The moveable dams being down in high water, there is comparatively little difficulty in protecting the banks about the works from scour. In this respect, too, they have considerable advantage over the fixed dams.

The great advantages of movable dams have long been recognized in Europe. In 1878 there were 124 movable dams in operation in France alone. The Great Kanawha had the honor of possessing the first movable dams in America. Dams Nos. 4 and 5 (the latter located at Brownstown, nine miles above Charleston, and the other at Cabin Creek, six miles farther up) were completed in July, 1880, and have been in successful operation ever since. Dams 4 and 5 are both of the Chanoine type. The Davis' Island dam, on the Ohio, below Pittsburg, completed in 1885 and the other dams now building on the upper Ohio, are of the same general type. The Ohio dams, however, have no service bridges, the wickets being raised and lowered by means of boats.

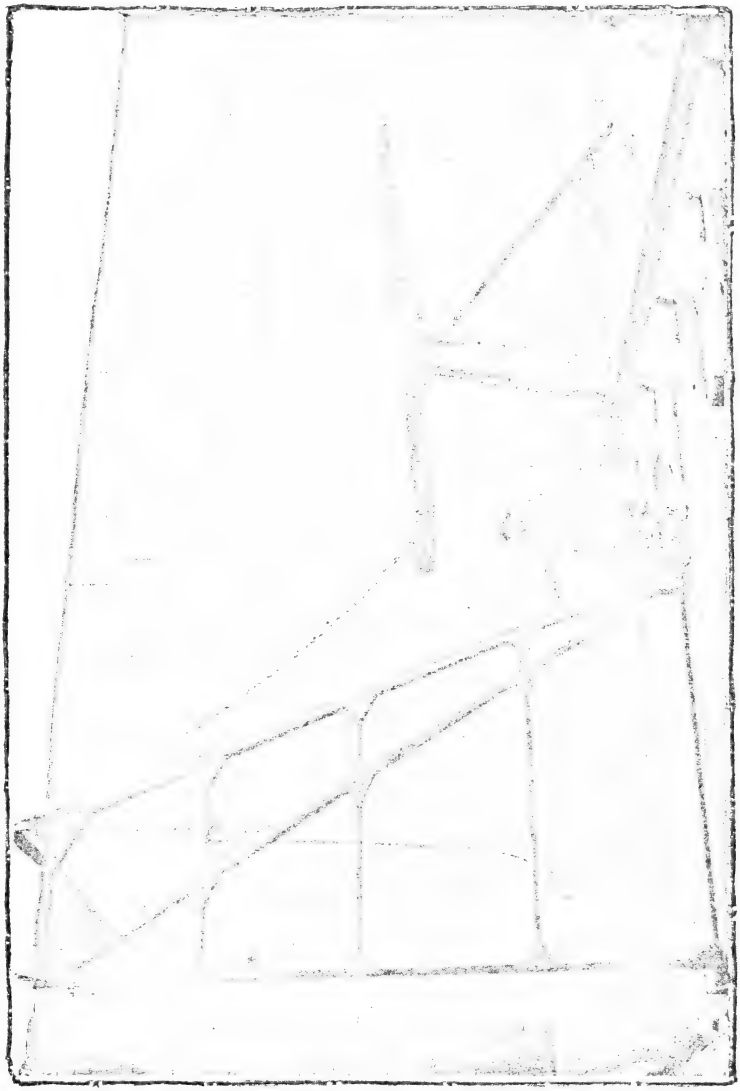
Although at Dam No. 6 a great many improvements have been made in construction and details the general principles of all the Kanawha movable dams are about the same. They are practically the same, too, as regards width of navigation, pass and dimensions of the pass wickets. The pass wickets at No. 6, as above stated, are 13 feet 5¾ inches long; those be-

low Dam No. 6 are 14 feet long; the Davis' Island wickets are 13 feet long. The Kanawha wickets, with the exception of one dam in France, are believed to be the largest yet constructed.

OPERATION OF MOVABLE DAMS.

The wickets, when erected form the dam. They are raised by men from the bridge, operating a winch which runs on the bridge track. The wickets are hung or hinged near their center to an iron frame called the horse. The bottom of the horse is attached, by journals, to the foundations of the dam. The wicket, when erect, is mainly supported by an iron bar called the prop, which has journal connection with the horse. The lower end of the prop, when the dam is up, rests against a cast iron piece called the hurter. When the dam is to be lowered the wickets, one wicket at a time, is pulled a few inches up stream (by the winch from the bridge) which disengages the foot of the prop and allows the wicket, with its horse to fall down. After the wickets are all down, the bridge is next lowered, It falls *across* the river, trestle by trestle. The wickets and trestles, when down, all lie flat on the masonry foundation of the dam, behind the sills, out of the way of passing boats.

In raising, the bridge is first put up trestle by trestle (they are all connected together by chains), and the rails forming the track placed as fast as the trestles are raised. When the bridge is all up, the traveling winch is put on the track, and the raising of the wickets, or the dam proper, begins. Each wicket has a strong chain fast to the bottom end, the other end of which is fastened to the trestle when the dam is down. In raising the wickets the wicket chain is made fast to the drum of the winch, and wound up till the lower end of the prop comes in place in the hurter seat, which holds the wickets erect. The wickets are not righted as fast as drawn up, however, but left "on the swing" as it is called, that is, with the horse erect, and the end of the prop in place in the hurter, but the wickets in a horizontal position at the top of the horse. In this position the water passes under the wicket unobstructed. If the wickets were righted as raised, the head of water would become so great, before all were up, that the last wickets could not be safely handled. For this reason they are all first put on the swing, as described, and then righted, one after the other, as rapidly as possible."



Movable Dams on Kanawha River: View inside of one of the cofferdams during construction of Lock and Dam No. 7. Showing one service bridge trestle standing and one wicket "on swing."

In addition to furnishing the above description, Mr. Scott has had the kindness to grant me access to several annual reports and office records, from which, together with his lucid personal explanations, I have gathered the data which are embodied in the remaining portion of this paper.

There are four men regularly employed about each lock and dam. During the summer season 5 men are employed regularly at each movable dam. The Government has provided comfortable houses at each lock and dam for these employees, and each is furnished sufficient ground for a good garden.

The average time taken to raise one of these dams, by 4 or 5 men, is about nine hours. It is lowered with the same force in about 2 hours. The cost of maintaining and operating each lock and dam is from $2,400 to $3,000 per year. Lock and dam No. 3 was built by hired labor under superintendence, all the others have been built by contract. The average cost of the locks with moveable dams—except No. 11—was about $240,000. No. 11, for reasons given below, cost about $650,000.

The depts to foundations was the most serious condition at No. 11. The works were built on hard-pan 18 to 24 feet below low water. In the preliminary drilling in this part of the river, this hard-pan was mistaken for rock. The examinations, borings, test pits, etc., afterwards showed its character, and the fact that the bedrock was about 20 feet deeper, or 40 feet below low water mark. The hard-pan is a dry, compact, indurated clay, and entirely sufficient, it is thought, for foundations. The piers of the high railroad bridge over the Ohio just above the mouth of the Kanawha rest on hard-pan, and those of the bridge over the Kanawha, about a mile below the lock site, without much doubt, do also, though the engineers of the latter were of the opinion that the caisons were down to rock. The foundations of both these bridges are at about the same depth as the top of the hard-pan at No. 11, i. e., 18 feet below low-water reference.

The depth and character of the bottom called for material changes in plans for foundations, particularly in the dam, both on the score of stability and economy over those at the other works. The river widens considerably near the mouth, and the dam at No. 11 is from 112 to 218 feet longer than the other dams on the river.

The office of the resident engineer is in the city of Charleston. The Government has a telephone line from the falls of Kanawha to Lock and Dam No. 11, and the force at each lock and dam is all the time in communication with each other lock and dam and the office in the city. Gauge reports

are received at the Charleston office by telephone or mail, at least daily, from Kanawha Falls, and from Hinton and Radford on the upper New River. In time of a rise, the telegraph is used to report the gauge from the last two places. This is all necessary for the safe operation of the movable dams and the regulation of the pools.

The force keeps a small tow-boat to transport supplies, material and labor from one point on the improvement to another, and to tow their dredges, crane boats, dump scows, etc., also to remove obstructions—snags, trees, wrecks, etc.,—left in the channel by high water.

A light-draught steam launch is used by the engineers for trips of inspection and to carry light articles from one point to another.

The total cost of the administration of the work, including the superintendence and office force, the maintenance and operation of locks and dams, current repairs, telephone line, dredging, snagging, etc., is about $40,000 per year.

The original estimate of the cost of the work was $4,071,216; the whole amount appropriated to date is $4,208,200, as follows:

March 3rd, 1873	$25,000
June 23rd, 1874	25,000
March 3rd, 1875	300,000
August 14, 1876	270,000
June 18th, 1878	222,000
March 3rd, 1879	150,000
June 14th, 1880	200,000
March 3rd, 1881	200,000
August 2nd, 1882	200,000
July 5th, 1884	200,000
August 5th, 1886	187,500
August 11th, 1888	350,000
September 19th, 1890	300,000
July 13th, 1892	225,000
March 3rd, 1893	500,000
March 2nd, 1895	580,700
June 4th, 1897	273,000
Total	$4,208,200

The whole amount expended to date (April 14th, 1901), is $4,023,580. This includes the first two appropriations ($50,000) expended in 1873-4 and 5 on the sluce and wing-dam improvement, as before described.

While the work may be considered practically completed, there remains some dredging to be done, mainly at the head of the pools to straighten and deepen the towing channels and bring the water to full miter sill depth, some old chute walls to remove and some additional employees' houses to build.

When all is fully completed, as projected, the total expenditure for the slack water improvement will fall somewhat inside of $4,000,000, showing the quite unusual result of a large public work being constructed at less than the original estimates, though in this case, as before noted, there were some modifications of plans.

The Kanawha river, at its mouth, is 510 feet above tide; and at Loup creek, the head of the upper pool, 596 feet, giving a fall of 86 feet in that distance, in the natural river, or an aggregate lift of that much by the several dams.

The flow of water in the river has several times been measured and estimated. In 1881, when the water was lower than at any time since 1838 (the lowest ever known) the discharge below Elk river was 1,183.5 cubic feet per second. In 1878, measurements were made when there was 34½ feet above low water mark. The discharge below Elk river was 188,347 cubic feet per second; of this it was shown by measurement that Elk river furnished 32,950 cubic feet per second. The discharge between these two wide extremes would, of course, vary according to the stage of water. The discharge at a 6 foot (natural, open river) stage is about 10,000 cubic feet per second; and at a 7 foot stage about 13,500 feet per second.

Movable Dams on Kanawha River: View inside of one of the cofferdams during construction of Lock and Dam No. 7: building the apron or foundations for the movable parts of the Dam.

CHEAP TRANSPORTATION

The manner of shipping coal on the Great Kanawha and Ohio rivers is generally understood and need not be particularly described. It makes remarkably cheap transportation, probably the lowest inland freight rates known.

The coal barges themselves, considering their capacity and service, are cheap carriers; they cost now from $1,400 to $1,800 each and last about ten years. The barges are generally 130 feet long by 25 wide and 7½ deep. A barge carries from 10,000 to 15,000 bushels, or from 400 to 600 tons, 520 tons, or 13,000 bushels per barge, is a fair average, equal to a train of 26 cars of 20 tons each.

A small tow of 4 barges, easily handled by a small tug or tow boat, and passes through the locks when the dams are up, at one lockage will have nearly or quite 50,000 bushels or 2,000 tons, enough to fill 100 freight cars of 20 tons each. In open navigation a tow boat handles from 4 to 14 loaded barges in the Kanawha, depending on the stage of the river and the size of the tow boat.

In the Ohio river from Point Pleasant down, the Kanawha tow boats take from 14 to 34 barges, a fleet of 30 barges has about 375,000 bushels, or 15,000 tons, this amount of coal loaded on 20 ton cars would make 30 trains of 25 cars each, or a continuous line of cars nearly 7 miles long.

The Kanawha tow boat "Andrews" went out recently with a tow of 28 barges, each containing about 15,000 bushels or 420,000 bushels in the tow, equal to 16,800 tons. This loaded into 20 ton cars would fill 840 cars and would make about 34 trains of 25 cars each. These 34 trains, running as close together as practicable, would require nearly or quite 8 miles of track.

RATE OF TOWING COAL.

The general rate for towing from Charleston pool to Cincinnati is one cent per bushel, or 25 cents per ton. Operators who hire barges pay half a cent per bushel barge rent, making the cost to Cincinnati, to operators who hire both barges and towing, 1½ cent per bushel or 37½ cents per ton. This includes the return of the empty barge to the mine.

This rate to Cincinnati (distance 263 miles) is 1.42 mills, or about 1-7 of a cent per ton per mile. For longer distances, or to points on the Ohio and Mississippi, below Cincinnati, the rates per mile are much less. The usual rate

from Cincinnati to Louisville amounts to about 10½ cents per ton, making the cost from Charleston pool to Louisville, including towing, rent and return of barge, 48 cents per ton. The distance from Charleston to Louisville being 394 miles, makes the rate 1.21 mills per ton per mile.

The above rates, it will be seen, are both for comparatively short distances. A considerable quantity of Kanawha coal is towed to different points on the lower Mississippi, as far down as New Orleans. The rate for these long distances is exceedingly low. Take it to New Orleans, for instance: the cost to the Kanawha operator who hires both barge and towing, is 5 cents per bushel, or $1.25 per ton. The distance from Charleston to New Orleans, 1,776 miles, 0.7 mill, or about one-fourteenth of a cent per ton per mile.

As low as these rates are, very much coal is shipped from this river at still cheaper rates.

Probably the next lowest inland freight in the country are those of the great lakes, where enormous quantities of heavy freight, such as iron ore, lumber, grain, and coal, are carried, mainly by a system of towing in large barges. The average rate on the lakes, from official records kept at St. Mary's Falls in 1899, was 1.05 mills per ton per mile, for an average length or route of 827.2 miles.

The average rate on all coal handled by the Chesapeake and Ohio Ry. in 1899 was 2.74 mills per ton per mile; a very low rate, considerably lower it is understood than on any other railroad in the United States.

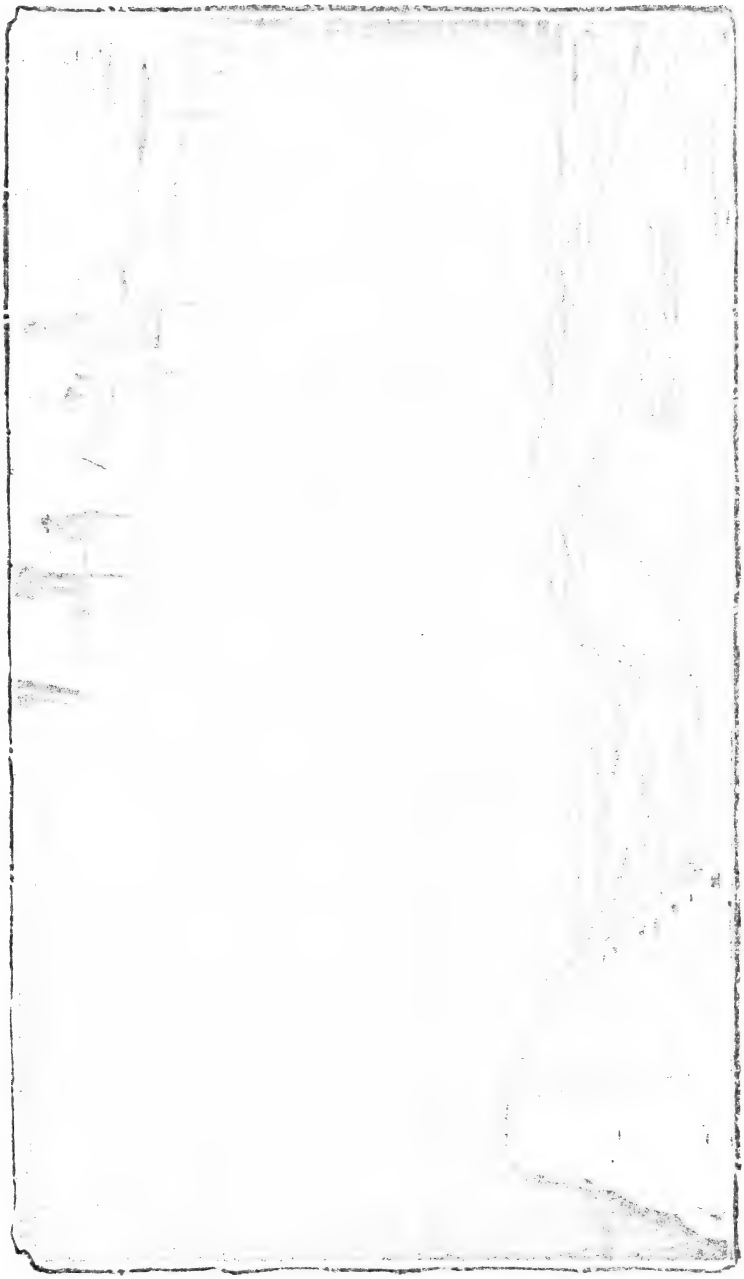
ADVANTAGES OF SLACK WATER.

This slack water improvement not only greatly lessens the expense and risk of shipments, but nearly doubles the time when coal can be shipped.

From U. S. gauge records kept for a series of years at Charleston and Point Pleasant (the mouth of the Kanawha) *before the locks and dams were built below Charleston*, it was shown that there were, on the average, only 136 days per year when 6 foot draft boats could be shipped from Charleston down, and that the same draft boats could be shipped on the Ohio from Point Pleasant down on an average of 250 days per year. Now with the locks and dams completed, there are 6 feet and over in the Kanawha practically all the year, so that coal can be shipped to market from this river whenever there is water in the Ohio from Point Pleasant. It often happens too that there is barge water from Point Pleasant down, from rises in the Kanawha, when there is

no corresponding rise in the Ohio to let out the upper Ohio coal.

The "flooding out" of coal from the mouth of the river by drawing water from the pools of the movable dams is also a novel and important feature of the improvement. Several times since the completion of the locks and dams, large fleets of coal have been sent to market (to Cincinnati and below), by augmenting small rises in the Ohio with water from the pools. In the fall of 1899 over 4,000,000 bushels of Kanawha coal (that had been passed down to the mouth of the river by the use of the locks), were sent to market in this way. This unlooked for feature of the work has excited much favorable comment on the movable dams, and on the engineering management of them, from coal and river men and in the Cincinnati and other newspapers in the Ohio Valley.



The completion of this great work, after a quarter of a century spent in construction, giving safer, cheaper, quicker and more continuous navigation, marks an improvement era in the history of this valley, and the general coal consuming markets of the Mississippi and Ohio Valleys and the Great Lakes. The increased facilities and economies of navigation will, doubtless, stimulate a very largely increased production of coal, which will add to the value of every acre of coal land and promote the general interests of the valley, while the increased supplies, greater competition and superior quality of Kanawha coals will advantage the consumers in the great markets named. And it is not impossible or improbable that, when the Nicarauga Canal shall have been constructed, Kanawha coals may find their way through the Gulf of Mexico to the far away Pacific Coast.

In 1887, beacon lights were established on the Ohio river, and soon after on the Kanawha, which add greatly to the facility and safety of navigating the river by night.

The annexed table shows the shipments of coal by river from 1875 to 1900 inclusive: a striking record of the remarkable increase of shipments from year to year:

The effect of better times and the completion of the Great Kanawha slack-water are both plainly seen in the marked increase in the shipment for 1900.

The table showing (both in bushels and tons) the amount of coal shipped by river from Great Kanawha for the several years named:

Year.	Bushels.	Tons.
1875	4,048,300	161,932
1876	5,024,050	200,962
1877	5,183,650	207,346
1894	25,821,000	1,032,840
1878	No record	
1879	No record	
1880	No record	
1881	9,628,696	385,147
1882	No record	
1883	15,370,458	614,818
1884	18,421,084	736,343
1885	17,812,323	712,493
1886	17,861,613	714,465
1887	23,233,374	929,335
1888	20,100,625	804,025
1889	26,921,789	1,076,872
1890	24,161,554	966,462

1891	25,761,346	1,030,454
1892	26,787,788	1,071,511
1893	22,983,000	919,329
1894	25,821,000	1,032,840
1895	21,982,600	879,304
1896	23,050,000	922,000
1897	21,215,000	848,600
1898	27,229,000	1,089,160
1899	23,570,000	942,800
1900	31,017,000	1,240,680

The prospect is promising for a continued increasing business by river. A large number of new barges, some of them belonging to coal dealers new to the Kanawha have been brought into the river lately. Some important additions have also been made within the last few months, and others will soon be made, to the fleet of tow boats. This, with new tipples building and several of the old operators preparing to increase their river output, makes the prospect good for 1901.

The table following shows the entire tonnage of the Kanawha river for the calendar year ending December 31st, 1900:

Tonnage of the Kanawha river for the calendar year ending December 31, 1900.

Articles.		Quantity.	Tonnage.
Coal	bushels	31,017,000	1,240,680
Timber	feet B. M.	29,460,000	49,100
Staves, oak	number	851,000	6,382
Bark and wood for tanning	cords	3,947	7,696
Hoop poles	number	612,600	1,530
Lath	do..	2,153,900	430
Railroad ties, oak	do..	786,700	110,303
Shingles	do..	1,233,000	185
Brick	do..	288,000	720
Salt	barrels	8,300	1,162
Merchandise and produce in steamboats	tons	.....	57,742
Total		.....	1,475,930

U. S. Engineer's Office, Charleston, Kanawha, W. Va., April, 1901.

The Engineer Department has many large photographic pictures illustrating this great river improvement, in its progress and operation; a few, reduced to a size suitable to these pages, will give the reader an idea of the work.

THE PERSONEL OF THE ENGINEER FORCE.

The engineer officers who have had charge of the work since the beginning, taken in the order of their service, were: Col. Wm. E. Merrill, Gen. W. P. Craighill, Col. P. C. Hains, Maj. Jas. F. Gregory, Maj. W. H. Heuer, Maj. W. H. Bixby, and Captain Wm. H. Hodges. General Craighill had much the largest service, having charge from 1874 to 1897, when he was made Chief of Engineers, U. S. A., and his district turned over to Col. Hains. Captains Thomas Turtle and E. H. Ruffner were resident engineers about four and two years respectively, between 1876 and 1882. Lieut. Black was an assistant on the work about one year, in 1880-81, and Mr. W. H. Hutton, C. E., of Baltimore, was employed as consulting engineer in 1875-6. Mr. Addison M. Scott has been either the resident or principal assistant engineer from the beginning of operations by the U. S. Government in 1873 up to the present time.

The assistant civil engineers employed on the work at various times, were Mr. Thos. E. Jeffries, Mr. Albert M. Campbell, Mr. Charles K. McDermott, Mr. Theodore Schoonmaker, Mr. M. S. Baily, Mr. Charles Humphreys, Mr. John S. Hogue and Mr. Wm. S. Summers.

Mr. Jeffries has been continuously employed since 1882, mainly as civil engineer and inspector on construction of locks and dams Nos. 6, 7 and 11; and Mr. A. M. Campbell has been employed in the same capacity from 1892 until 1898, mainly on locks and dams Nos. 8 and 10. The inspectors of masonry, etc., most prominent on construction were Mr. John H. Minnick, Mr. E. H. Kirlin, Mr. John R. Myers, Mr. S. G. Campbell, and Mr. R. S. Stephens. Mr. J. S. Williams as master carpenter, has had charge of the building and hanging of most of the lock gates.

It is pleasant to record what is quite a remarkable fact in connection with the construction of this great work, that in that in the more than a quarter of century it has been under way, there has been no serious accident, disaster, loss or damage to the works by high water, low water, ice or storm; no strikes among laborers, no quarrels or misunderstandings with contractors and others, no friction with the public: everything has progressed quietly, smoothly, and

pleasantly from beginning to end. If there are any exceptions at all, they are too triveal to be worth mentioning.

All this argues the great capacity and fittedness of those in charge of the work in hand, their conservatism, fairness and courtesy to all with whom they have had to do, as also great watchfulness and care, pervision and provision against the accidents and mishaps that so often occur on such works.

The whole history of the work is a credit to all concerned.

The following communication in reference to the Gt. Kanawha River Improvement from General Wm. P. Craighill, retired, lately Chief of Engineers, U. S. A., appeared in the Engineering Record of June 17, 1899. It may be noted in this connection that General Craighill is a native of and still a resident of Jefferson County in this State, a fact in which West Virginians take a just pride.

"I have been much interested in reading the excellent illustrated article which has recently appeared in the columns of your enterprising journal on the subject of the improvement of the Great Kanawha River in West Virginia. This interest seems natural and proper for several reasons, one of which, as stated by you, is that my term of service in charge of that work lasted from 1874 to 1895, twenty-one years, from the beginning of the improvement by the use of locks and movable dams to the making of the contracts for the last locks and dams of the series near the mouth of the river. While the fact of the existence of movable dams of several types in different countries of Europe was well known to engineers in the United States prior to 1874, the application of that method of improvement was almost unknown here. From the beginning of the charge of the Kanawha River by the United States Engineer office, the adaptability of movable dams to the Kanawha was remarked and the improvement was begun with the approval of the higher authorities in Washington.

"The plans for the Kanawha were based mainly on those of the French engineers, especially those of the River Seine. Many changes were made, however, both in the details of the plan and in the manoeuvers, and these changes have always been found to be in the line of betterment and economy. With the preparation of the original plans for the Great Kanawha, Mr. William R. Hutton, Past Vice-President Am. Soc. C. E., had very much to do, and I mention his name particularly because it is not found among those given in your article.

"I desire also to call attention in the most emphatic way to the name of another member of the American Society of

Civil Engineers, who has for more than twenty-five years been connected with this important improvement, which has been most successful from a commercial as well as an engineering standpoint. I refer to Mr. A. M. Scott, who was principal engineer on this work when I took charge of it for the United States in 1874; he has remained on it up to the present time, when it is completed. The conduct of the work has been most economical, wise and excellent in every way. Mr. Scott has exhibited an unusual degree of skill as a designing and constructing engineer, in the management of the improvement, and in dealing with the many perplexing problems which has presented themselves for solution in its progress. To him is due more than to any other person the success of this work. I say what I know, and it gives me sincere pleasure thus to bear record to the merit of a most faithful and deserving man."

THE WEST VIRGINIA HISTORICAL AND ANTIQUARIAN SOCIETY.

This society, with a view to more effectually carry out the objects and purposes of its organization, has decided to publish a Historical Magazine, to be called "The West Virginia Historical Magazine, Quarterly."

The Society solicits, for this magazine, contributions from time to time, from its members, from citizens of the State, and from others who may have the will, of trustworthy accounts concisely written, of past and current events, local, State and general, of historical interests pertaining to the State.

There is still floating in the memory of the people, but never in print, many interesting traditions of early historical events relating to early frontier explorations and settlements, border Indian wars, the part taken by Western Virginia, now West Virginia, in the wars of the revolution and of 1812, the Mexican and Civil wars, and the Spanish, Philippine and Chinese wars. Selections from these, well attested, we desire to gather up and preserve, before they are forever lost; and so with interesting facts relating to the growth and development of the State, settlements of neighborhoods, growth of towns, public improvements, manufac-

turing and other enterprises. A record of such events, seemingly unimportant now, while occurring under our eyes, will have great interest and value in the future.

It is the purpose of the Historical Magazine to gather and record selections from such facts, and also short biographical sketches of persons who have taken a prominent and useful part in the affairs of the State.

Members and friends of the Historical Society and the public are invited to subscribe to the Magazine.

Price, per annum, $1.00; single copies, 25 cents.

Our Historical Society, when organized, started a museum, on a small scale, with a basketful of Indian and Mound Builders' relics, and a few other curios. Now, our collection has increased to many thousands of specimens of great variety and many of unusual interest. It is largely visited by the public, with interest and pleasure. We have also, on exhibition, specimens of the coals, timber, and other products of the State, which are of interest and value to outsiders coming to investigate such products, so largely abounding in our State.

Our library was begun but a few years ago, by the donation of a few books, pamphlets, etc., by members of the Society. It has now, with the aid of the State, increased to about six thousand volumes of books, several thousand pamphlets, maps, papers, autographs of distinguished people, pictures, etc.

We keep, on our reading tables, most of the prominent newspapers of the State, which are kindly sent us gratuitously by the publishers; these are kept to be bound in volumes for permanent preservation, and will make a valuable record of the current history of the State.

We subscribe for twelve to fifteen of the leading popular magazines for the entertainment of our visitors. These, too, we bind and preserve.

Our library contains a large proportion of Government books, Acts of Congress, departmental, Smithsonian, Geological, and other reports, besides a valuable collection of miscellaneous books on history and general subjects; altogether, it is now, a very valuable library of reference, and is being largely used as such.

We have published a few pamphlets and sent them out to other Historical Societies and libraries, and have received many valuable publications in exchange. We propose, in like manner, to send our Historical Magazine to other Societies and libraries, and hope to receive valuable exchanges.

Although occupying the largest room in the Capitol building, we are very much cramped for room; but we shall

soon be in our new quarters in the elegant Capitol Annex building, now being erected, and in which the State has assigned us one entire floor of about ten thousand square feet or floor space, where we can arrange what we have to much better advantage, and have room for expansion.

The Historical Society has transferred to the State all its right, title and interest in and to its library, museum, and whatever else it has. With the full title and ownership of the Society's collection in the State, we trust it will be the pleasure of future Legislatures to grant the Society such liberal encouragement and support as it deserves and needs to continue, increase and perpetuate it as one of the valuable and permanent educational institutions of the State.

We bespeak the good offices of the press of the State in calling the attention of the public, from time to time, to the aims and efforts of the Society in behalf of the interests of the State, and aid in getting from every part of the State interesting historical sketches for our Historical Magazine, thus encouraging a knowledge of and interest in the objects of the society, and fostering a loyal patriotism and love for the State.

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Persons or families who have valuable records, curios, or heirlooms which they are not willing to donate to the Society, are solicited to loan us sucharticles for exhibition; they will are solicited to loan us such articles for exhibition; they will be safely preserved under glass and lock and key in a fireproof building, safe from the numerous accidents, by fire and otherwise, which befall private residences.

The Society issues receipts for such loaned articles with a clause allowing the owners to reclaim them at their pleasure.

We solicit those in sympathy with the objects of this Society, to become members, and co-operate with us in the work in hand. The initiation fee is $3.00, no after charges.

J. P. HALE, President.

MINUTES OF THE ELEVENTH ANNUAL MEETING OF THE WEST VIRGINIA HISTORICAL AND ANTIQUARIAN SOCIETY.

Jan. 15, 1901.

The eleventh annual meeting of the West Virginia Historical and Antiquarian Society met this evening at 8 o'clock in the Governor's reception room at the Capitol.

It was called to order by the President, Dr. J. P. Hale. A quorum being present, the minutes of the last meeting were read and approved.

The President made no formal address, but stated that he had hoped to present the first issue of the Society's Magazine, which has been delayed by the printer.

The Treasurer was absent and no report was presented by him.

The Secretary read his report, which, on motion, was ordered to be published in the next issue of the Magazine.

The Hon. Nelson E. Whittaker and the Hon. Frank M. Reynolds were elected members of the Society.

The election of officers, by ballot, resulted as folows:

President—Dr. J. P. Hale.
Vice President—Hon. N. E. Whittaker, First District.
Vice President—Hon. F. M. Reynolds, Second District.
Vice President—Charles Ward, Esq., Third District.
Vice President—A. F. Gibbens, Esq., Fourth District.
Treasurer—Hon. G. W. Patton.
General Secretary—Rev. Robt. Douglass Roller, D. D.

Executive Board—

First Ballot—Judge H. C. McWhorter, Dr. J. P. Hale, Joseph Ruffner, Esq., Gov. G. W. Atkinson, Hon. J. W. Paul, W. S. Laidley, Esq., Maj. Thos. L. Broun.
Second Ballot—Hon. J. B. Floyd.
Third Ballot—Hon. J. R. Trotter.

On motion the Society adjourned.

ROBT. DOUGLAS ROLLER, Secy.

J. P. HALE, President.

SECRETARY'S REPORT.

Charleston, W. Va., Jan. 15, 1901.

To the President and Members of the West Virginia Historical and Antiquarian Society.

Gentlemen—Your Secretary begs leave to submit the following brief report:

Nothing extraordinary has been done during the year just closing for the reason that we are in a state of exxpectation. We are looking forward to the time when we shall occupy our new abode. Our work is preparatory to the removal to the new building whenever that may be ready for occupancy.

Some of the pamphlets and magazines have been bound and are in a condition to be placed on the shelves. A good start has been made towards a catalogue, which will be a matter of necessity.

The Secretary sent copies of the report of our last annual meeting to all of the Historical Societies whose addrsses could be secured, with the request that we be put on their exchange lists. The result has been gratifying, as we have received seventy-five publications of Historical Societies this year, as against seventeen for the year ending January, 1900.

If we can offer some publication of our own each year, the other societies will respond in kind, and we may hope to keep in touch with historical research all over the country.

If the new Magazine can be sustained it will be most valuable, not only for its contents, but as the means of securing publications worth to us more than the cost of the Magazine.

There is a more pressing need now for a generous appropriation than ever before in our history. The completion of the catalogue, the binding of pamphlets, and other documents, and the renovation of old and rare books, are things which it would be criminal to neglect. Besides, there are many valuable historical books which can be had now, but are becoming scarcer every day. These purchased and preserved in our archives will establish our standing among the truly valuable Historical Societies.

The Librarian's report is so full that it is not necessary for me to do more than present it in order to show our gains for the year.

It cannot be denied that our Society is growing year by year. Respectfully submitted.

ROBT. DOUGLAS ROLLER, Secretary.

OFFICIAL DIRECTORY FOR 1901.

OFFICERS.

President—Dr. J. P. Hale.

Vice Presidents—
Hon. N. E. Whittaker, First District.
Hon. F. M. Reynolds, Second District.
Charles Ward, Esq., Third District.
A. F. Gibbens, Esq., Fourth District.

General Secretary—Rev. Robt. Douglas Roller, D. D.

Treasurer—Col F. W. Patton.

EXECUTIVE BOARD.

Dr. J. P. Hale, Judge H. C. McWhorter, Gov. G. W. Atkinson, Mr. Joseph Ruffner, Hon. J. B. Floyd, Hon. J. R. Trotter, Maj. T. L. Broun, Hon. W. S. Laidley, Hon. J. W. Paul.

ORGANIZATION OF THE BOARD.

Mr. Joseph Ruffner, Chairman.
Hon. J. W. Paul, Secretary.

COMMITTEES.

Library—
Hon. G. W. Atkinson.
Hon. W. S. Laidley.
Maj. T. L. Broun.

Museum and Relics—
Dr. J. P. Hale.
Hon. J. W. Paul.
Hon. J. R. Trotter.

Portraits and Art—
Hon. H. C. McWhorter.
Hon. J. B. Floyd.
Dr. J. P. Hale.

REPORT OF THE LIBRARIAN.

To the Executive Board:

From January, 1900, to January, 1901.

Government Books Received.

Annual Report of Secretary of Treasury, 2 volumes.
Annual Report of Secretary of War, 1 volume.
Annual Report of Attorney General of United States, 1 volume.
Annual Report of Smithsonian Institute, 3 volumes.
Annual Report Civil Service Commission, 1 volume.
Annual Report Commissioner Labor, 3 volumes.
Annual Report Commercial Relations of U. S., 3 volumes.
Annual Report Bureau of Ethnology, 4 volumes.
Annual Report U. S. Coast Survey, 5 volumes.
Annual Report Secretary of Navy, 1 volume.
Annual Report Secretary Interior, 2 volumes.
Annual Report Commissioner Patents, 3 volumes.
Annual Report U. S. Geological Survey, 7 volumes.
Annual Report Agricultural Department, 1 volume.
Annual Report Bureal Animal Industry, 2 volumes.
American Historical Association, 1 volume.
Bureau Navigation, 2 volumes.
Bulletins U. S. Geological Survey, 4 volumes.
Bureau American Republic, 9 volumes.
Comptroller Currency, 1 volume.
Chief of Engineers, U. S. Army, 4 volumes.
Chief of Ordinance, U. S. Army, 1 volume.
Commerce and Navigation, 4 volumes.
Commissioner Education, 3 volumes.
Congressionar Records, 18 volumes.
Comptroller Treasury, 2 volumes.
Consular Reports, specials, 1 volume.
Director of the Mint, 2 volumes.
House Executive, 3 volumes.
House Journal, 1 volume.
House Reports, 87 volumes.
Inter-State Commerce Commission, 2 volumes.
Monographs U. S. Geological Survey, 11 volumes.
Miscellaneous Agricultural, 1 volume.
Memorial Addresses, 3 volumes.
Miscellaneous U. S. Books contributed, 15 volumes.

Naval War Records, 4 volumes.
National Academy Science, 1 volume.
Records War Rebellion, 10 volumes.
Report Secretary Interior, miscellaneous, 2 volumes.
Specifications and Drawing Patents, 16 volumes.
Smithsonian, miscellaneous, 1 volume.
Senate Reports, 59 volumes.
Senate Journal, 1 volume.
Statutes United States, 1 volumes.
Tests of Metals, 3 volumes.
Treasury Department, 6 volumes.
War Department, miscellaneous, 7 volumes.
Interior Department, 1 volume.
Total, 318 volumes.

United States Pamphlets.

Bulletin, Farmers', 14 volumes.
Bulletin, Experiment Station, 13 volumes.
Bureal Animal Industry, 7 volumes.
Division Agrostology, 9 volumes.
Division Botany, 13 volumes.
Division Chemistry, 4 volumes.
Division Entomology, 9 volumes.
Division Forestry, 3 volumes.
Division Soils, 4 volumes.
Division Statistics, 3 volumes.
Division Vegetable Physiology and Palæontology, 5 volumes.
Division Publications, 3 volumes.
Division Biological Survey, 8 volumes.
Department of State, 1 volume.
Office Experiment Station, 12 volumes.
Office of Register of Copyrights, 5 volumes.
Section Foreign Markets (Bulletins), 6 volumes.
Superintendent of Documents, 1 volume.
U. S. Department Agriculture, miscellaneous, 3 volumes.
U. S. Pamphlets, miscellaneous, 16 volumes.
Weather Bureau, 4 volumes.
War Department, 42 volumes.
Interior Department, 7 volumes.
Navy Department, 10 volumes.
Treasury Department, 14 volumes.
Total, 216 volumes.

West Virginia Books, 6 volumes.
Miscellaneous Books, 3 volumes.
Publications Historical Societies, 75 volumes.

Miscellaneous Pamphlets, 21 volumes.
State Books and Reports, 215 volumes.
State Pamphlets, 142 volumes.
Foreign Publications, 2 volumes.
Atlas Folios, 12 volumes.
Magazines, 1.

Pictures.

Public hanging of John F. Morgan at Ripley, W. Va., Dec. 16th, 1897, presented by D. S. Guthrie.

Picture of Robert E. Lee and his war horse, presented by Major T. L. Brown.

Grand Canyon of Colorado, picture of Charleston, John E. Kenna, Weston Asylum and State Board of Health, by Dr. W. P. Ewing.

Photograph of the house of Henry Clark, Mercer County, West Virginia, around which was fought a severe engagement on May 1st, 1862, between some Confederate troops under Major Nicholas Fitzhugh, of Kanawha, and a portion of Federal forces commanded by General Jacob D. Cox, of Ohio, presented by Judge Johnson.

Number of pictures, 8.

Newspapers added to Exchange List.

The Desert Semi-Weekly News, Clay County Star—2.

Books Purchased.

Memoirs of General Sherman, Vols. I and II.

Personal Memoirs of P. H. Sheridan, Vols. I and II.

Prehistoric Implements, a reference book, by Warren K. Morehead.

Southern Historical Society Papers, 26 volumes, edited by R. A. Brock.

The Youth of the Old Dominion, Samuel Hopkins.

Encyclopaedia of Contemporary Biography of West Virginia.

The Cradle of the Republic: Jamestown and James River., Lyon Gardiner Tyler.

The Mississippi Valley in the Civil War, Fiske.

The End of an Era, John Fiske.

The South, Constitution and Resulting Union, J. L. M. Curry.

The Anglo-Saxon Superiority: To What it is Due, Edmond Demolins.

Books Purchased, 37.

Contribution to Library Books.

The Alumni Bulletin of the University of Virginia, presented by Major T. L. Brown.

The Book of Mormons, presented by Joseph Hubbard.

Doctrines and Covenants, presented by Joseph Hubbard.

Pearls of Great Price, presented by Joseph Hubbard.

Articles of Faith, by Talmege, presented by Joseuh Hubbard.

Blue Book, Wisconsin, 1899.

History of Ninth Massechusetts Volunteers, 1861-1864, Daniel George Macnamara.

Report of the Eleventh Bar Association of Virginia, August, 1899.

Massachusetts Soldiers and Sailors of Revolutionary War, Vol. VI.

Atlas of Two Wars, containing large scale maps of Philippine Islands and South Africa, presented by Dr. W. P. Ewing.

The International Competition for Phoebe Hearst Architectural Plan for University of California.

A Catalogue of Authors, presented by Houghton, Mifflin & Co.

Twentieth Annual Report of State Board of Health of South Carolina, 1899, presented by Dr. W. P. Ewing.

History of the Allerton Family in U. S., 1585 to 1885, and Genealogy of the descendants of Isaac Allenton, presented by Samuel Waters Allerton.

Report of the Health Officers of District of Columbia, presented by Dr. W. P. Ewing.

The Commentaries of Julius Caesar, of his Wars in Gallia and the Civil Wars betwixt him and Pompey, presented by Samuel Strauss ttrough Gov. G. W. Atkinson.

Table of Post-Offices in United States, arranged by states and counties, 1830, presented by Mrs. J. H. Miller.

Massachusetts Soldiers and Sailors of Revolutionary War, Vol. VII.

Shaksper not Shakespeare, presented by the author, William H. Edwards.

Memorial of the Quisenberry Family in Germany, England and America, presented by A. C. Quesinberry.

Decennial Register of the Pennsylvania Society of Sons of the Revolution, 1898, presented by Ethan Allen Weaver.

Biennial Report of Department of Health of Chicago, 1897-1898, presented by Dr. W. P. Ewing.

Books presented, 22.

Cuba, after the fight in Manila Bay, May 1st, 1898, presented by Robert E. Cox to his friend Col. G. W. Patton, who presents it to the Society.

Watchmaker's nippers, made by William Mathews, in Virginia, in 1758, descended to Thomas Mathews who came to Kanawha in 1801, presented by Thomas A. Mathews to Society through Dr. Hale.

Instrument for cutting loaf sugar, presented by J. H. Rogers through Dr. J. P. Hale.

Richmond Enquire, March 25, 1861, with an account of Virginia State Convention and speech of G. W. Summers, presented by Mrs. Ryan.

Richmond Paper with an account of convention which made Virginia Constitutions, Rosters of 1829, 1850, 1861 and 1867, presented by A. E. Summers, M. D.

Bird's nest woven from bark of milk weed, presented by Fred a Kendall.

Spanish Commission captured by Captain Howard Atkinson from Lieutenant-General Gironimo of Agrinaldo's army, P. I., November 2, 1900, presented by Governor G. W. Atkinson.

Chinese flag. This flag was captured by Second Lieutenant W. H. Waldron, of the 9th Regiment, United States Infantry, in a Government Arsenal in the city of Pekin, and was brought to the United States by him personally, and was, through Governor Atkinson, presented to the West Virginia Historical and Antiquarian Society on December 20, 1900.

Presented, 15.

	1900	1901
Government Books	254	318
Government Pamphlets	162	216
West Virginia Books	3	6
Miscellaneous Books	3	3
Miscellaneous Pamphlets	44	75
Publications, Historical Societies	17	75
State Books and Reports	75	215
State Pamphlets	122	142
Foreign Publications	3	2
Atlas Folios	10	12
Pictures	1	8
Newspapers		2
Books Purchased	82	37
Contribution to Library Books, presented	24	22
Pamphlets Presented		7
Museum, Presented	39	15
Museum, Loaned	23	24

PEARL MARTIN, Librarian.

Vol. 1. JULY, 1901. No. 3.

The West Virginia Historical Magazine Quarterly.

CHARLESTON, W. VA.

Published by the West Virginia Historical and Antiquarian Society.

J. P. HALE, Editor, President of the Society.

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For Advertising, enquire of the Editor.

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The West Virginia Historical and Antiquarian Society.

AN APPEAL TO THE PUBLIC.

This society, with a view to more effectually carry out the objects and purposes of its organization, has decided to publish a Historical Magazine, to be called "The West Virginia Historical Magazine, Quarterly."

The society solicits, for this magazine, contributions from time to time, from its members, from citizens of the State and from others who may have the will, of trustworthy accounts concisely written, of past and current events, local, State and general, of historical interest pertaining to the State.

There are still floating in the memory of the people, but never in print, many interesting traditions of early historical events relating to early frontier explorations and settlements, border Indian wars, the part taken by Western Virginia, now West Virginia, in the wars of the revolution and of 1812, the Mexican and Civil wars, and the Spanish, Philippine and Chinese wars. Selections from these, well attested, we desire to gather up and preserve, before they are forever lost; and so with interesting facts relating to the growth and development of the State, settlements of neighborhoods, growth of towns, public improvements, manufacturing and other enterprises. A record of such events, seemingly unimportant now, while occurring under our eyes, will have great interest and value in the future.

It is the purpose of the Historical Magazine to gather and record selections from such facts, and also short bio-

graphical sketches of persons who have taken a prominent and useful part in the affairs of the State.

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We solicit those in sympathy with the objects of this society, to become members, and co-operate with us in the work in hand. The initiation fee is $3.00, no after charges.

J. P. HALE,

President.

PRE-HISTORIC KANAWHA VALLEY.

BY JOHN P. HALE.*

Of all the nations, or confederations, of tribes of Indians occupying this country at the time of the coming of the white man, the Cherokees were the most populous and powerful probably, not even excepting the Iroquois. They were then a southern nation, occupying territory in Virginia, Kentucky, Tennessee, the Carolinas and Georgia. For more than two hundred years they have been engaged in an almost ceaseless struggle for existence, warring with other tribes and pressed by the constant encroachments of the whites, yielding by degrees their immense claims of territory to the colonies and to the United States Government, until finally in 1838 they were transplanted to new homes beyond the Mississippi. Since 1721, the date of the first colonial treaty with them, they have been oftener and for longer time before the public, in the way of treaties, land sales, conflicts about boundaries and judicial decisions, than any other of the Indian peoples. They have past through all this, and are now more prosperous, advanced and progressive than at any previous time in their later history. Such is a brief outline sketch of the interesting people who held this valley prior to the coming of the whites. The first known contract with them by the white race, was by the enterprising Spanish explorer, Ferdinand De Soto, in Georgia, in 1540. For more than a century nothing more was known of them, until in 1654, Governor Berkeley, of Virginia, with a view to encouraging trade with the Indian tribes, equipped an expedition, consisting of fourteen whites and fourteen Indians, to make a trip of discovery beyond the mountains. Travelling southwest from Appomatox, whence they started, they came to and crossed the Blue Ridge, and probably into the Holston and Clinch valleys in Southwestern Virginia, where they encountered the Cherokees. In 1690 something of them was made known by a Mr. Daugherty, a Virginian and an Indian trader, who had taken up his residence among them. The first formal relations between the Cherokees and the colonists was in 1693, when twenty Indian chiefs visited Charleston, S. C., the Ashley settlement, to

*A portion of this article was printed a few years ago, but had only a limited local circulation.

proffer friendship and solicit aid in their troubles with some of their unfriendly neighbors. In 1702 M. Pericault mentions them as living on the upper waters of the Kasquinempas (Tennessee). In 1708 the same author mentions that the Cherokees had formed a league with other tribes to wage war against the French and Mobilians, and burn their houses. About 1712, early maps show them on the Holston and Clinch, the Broad, the Catawba and the Savannah rivers. In 1713 Peter Julien was arraigned in South Carolina for holding two Cherokee women in slavery. In 1715, the Cherokees, Creeks and Yamassees formed an alliance and declared open hostilities against the South Carolina colonists. In 1716, the Cherokees killed M. M. deRamsay and de Longueil northeast of Mobile. The French in Canada engaged the Iroquois to punish them for the act, which they did, sacking and destroying two villages, and compelling the Indians to retreat. The first formal business dealing with them was in 1721, when, by treaty agreement with South Carolina, they ceded to the colony certain lands within their boundaries. After this there were several other treaties, prior to 1768, with the more southern colonies, but not affecting this region. In the latter years, however, (1768) October 14th, Mr. Stewart, British superintendent of Indian affairs, concluded a treaty with the Cherokees, at a place called Hard Labor, S. C., in which it was agreed that the southwest boundary of Virginia should be a line extending from the point where the northern line of North Carolina intersects the Cherokee hunting-grounds, about thirty-six miles east of Long Island, in the Holston river; and thence extending in a direct course north by east to Chiswell's mine, on the east bank of the Kanawha river, to Chiswell's mine, on the east bank of the Kenhawa river, and thence down that stream to its junction with the Ohio river. This treaty was made in pursuance of appeals from the Indians to stop further encroachments of settlers upon their lands, and to have their boundaries definitely fixed, especially in the region of the north fork of Holston river and the head waters of the Kenhawa. Two years later, on the 18th of October, 1770, at Lachabar, S. C., a new treaty was concluded.

A new boundary line was established by this treaty, "Commencing on the south bank of Holston river, six miles east of Long Island, and running thence to the mouth of the Great Kenhawa." By these two treaties and sessions the Cherokees surrendered all right, title, interest and claim in and to this valley forever, and so far as they were concerned, it was now open and clear for the advent of the whites, who

were rapidly pressing on this way. There were numerous other treaties before and after these, but not affecting this region. At the date of these sessions, there was not as yet a single white settler in the Kanawha valley proper, though there were a few on the upper New river. About the date of the latter treaty, 1770, General Washington was at the mouth of the Kanawha looking up valuable lands and locating his military land warrants for service in the northwest. Although the Cherokees owned this valley and region up to the date of these relinquishments, and had so owned or claimed it, probably for many generations and centuries, they did not at this time occupy it, and probably had not—except in the southern or upper New river region—for some generations previously; but there are reasons to believe that at an earlier time they had occupied not only the western portion of Virginia, but Ohio as well, in very large numbers and for very long periods of time. Whether they were driven out by superior force, or voluntarily migrated to their afterward more southern homes, it is probably now impossible to determine. Since the Cherokees evacuated the territory, it has been occupied by one or more temporary waves of population. A large portion of what is now West Virginia and Kentucky was for some time claimed by that powerful confederacy, the "Six Nations," by right of former conquest, and also by the Shawnees and the Delawares. This region was not held by settled occupants at the coming of the whites, but was held as a debatable territory, and used for hunting and fighting purposes by and between the northern and southern tribes. It was the northern tribes (the Shawnees, Delawares, Mingoes, Wyandottes, &c.) then occupying Ohio, that caused so much suffering to the whites, by raiding the frontier Virginia settlements, and opposing by all cruel methods known to the race, and steadily persistent progress of the hardy and daring early pioneers into this region, and they who met the whites in the desperate, bloody, ever memorable, and to them fatal conflict at Point Pleasant. Just when the Cherokees left the Ohio valley may never be known, but it is probable that a portion of them, at least, were very far south before the middle sixteenth century, as reported by De Soto; and there are evidences of their occupation in southern Virginia, the Carolinas and Tennessee about the middle of the seventeenth century.

MOUND BUILDERS.

Probably no ethnological question has excited more interest within the past century than the elusive and tantaliz-

ing one of the origin and history of the races and tribes of men who inhabited this country at and before the coming of the white race. They knew but little about their ancestors, they had no written records, and their traditions were vague and conflicting. It was long hoped that some buried records in hiereglyph, picture or other sign writing of their past history might be found that would throw light upon their past history; but, so far, diligent search has failed to unearth anything of the kind. For a time it was hoped that a (so-called lettered stone found in the great Grave creek mound would give some clue that would help unravel the mistery; some of the characters were supposed to resemble Sanscrit letters. Copies of it were sent to philologists and learned societies in this country and in Europe; but nothing could be made of it, and all hopes based upon it were dashed. Several theories have been suggested as to the probable origin of the "mounds" and other earth and stone works found by the first white comers, and now known to be so numerous and widely distributed. When at first so little was known about them, no less a person than Dr. Franklin suggested that the erratic De Soto probably built them during his wanderings through the country; and the theory was advocated by Noah L. Webster and many others, but as more data were accumulated and more known about the number, extent and character of the works (there are more than ten thousand mounds and fifteen hundred inclosures in Ohio alone, and they are still more numerous in the Gulf States), this theory was found to be untenable and was abandoned.

It was then suggested that the Aztecs or Toltecs or Pueblos had occupied the Mississippi valley in their earlier stages of evolution, and then passed on to develop a higher state of civilization farther south. Or, reversing the order, that these Aztecs or Toltecs, when they had developed in the southern homes to the mound building stage, had, or a portion of them had, come up and occupied the Mississippi valley for several or many generations or centuries, when they retired or were conquered and driven out, or nearly exterminated and the remnants absorbed into the local tribes following them; forgetting (after a time, the history of the works their ancestors had built.

Another theory was that these works were built by locally developed tribes, or confederations of tribes, who having attained to this degree of advancement, again degenerated, or were exterminated by war, pestilence or famine, or migrated to parts unknown, their successors being ignorant of their

past history. These and other theories have had their day and their advocates; but none of them upon full examination have proved entirely satisfactory. In the meantime, interest in the subject, and a great deal of work has been done by individuals, by local and State societies, by the Peabody Museum, the Smithsonian institution and others, in opening and examining mounds and other works, collecting and comparing relics, and studying the subject generally. This careful study has developed and established one important fact, i. e., that some of the tribes in some of the districts built mounds up to and even after the Columbian period. Among the relics found in some of them were metals and other articles unquestionably of European origin, that could only have come into the hands of the natives through contact with the whites after the Columbian discovery. These facts naturally suggest and go far to substantiate the theory that, after all, the mysterious mound builders were the ancestors of the tribes who occupied the country at the time of the coming of the whites; or were at least a people on the same general plane of intelligence and advancement as many of the tribes found here. It cannot be said that the conclusion is yet definitely established, but the concurrecne of opinion of the most careful students and ablest men who are devoting their time and laber to the investigation of the subject certainly tend strongly in this direction. Prof. Cyrus Thomas, of the Smithsonian Ethnological Bureau; Major J. W. Powell, of the Government Geological Bureau, Washington; Prof. Carr, of the Peabody Museum; Mr. Foster, author of "Prehistoric Races," and others strongly incline to this theory. The comparison of the data obtained by an examination of these works in different parts of the country shows that there are such local peculiarities and varieties of arrangement, form and structure of the works, mode of burial in the sepulchral mounds, the character of relics deposited with the dead, &c., as to suggest that the mounds of different regions were the work of different peoples. Prof. Thomas, in a report to the Smithsonian Institution, divides the territory east of the Rocky Mountains into eight districts, as follows:

First—The Wisconsin district or area of effigy mounds.

Second—The Illinois, or upper Mississippi district.

Third—The Ohio district, including the State of Ohio, the western part of the State of West Virginia and the eastern portion of Indiana. Of this district he says: "Although the works of this region present some features which are common to those of the Gulf secton, there are several peculiar

characetristics which warrant us in designating it in a distinct district. Among other of these peculiar features we notice the great circles and squares of the enclosures, the long parallel lines of earthen walls, the so-called "altar mounds," or mounds containing structures chiefly of clay, to which the name of "altar" has been applied; the numerous carved stone pipes, the character of the pottery, and the method of burial.

Fourth—The New York district.

Fifth—The Appalachian district, including western North Carolina, easetrn Tennessee, Southwest Virginia and part of Southern Kentucky.

The characteristics which appear to warrant us in concluding that the works of this region apertain to a different people from those in the other districts, at the same time seems to show some relation to those of the Ohio district. Such are the numerous stone pipes, and altar-like structures found in some of the mounds, and the presence of mica plates with the skeletons. But the peculiar features are the mode of burial, the absence of pottery and the numerous polished celts and engraved shells found in the mounds.

Sixth—The middle Mississippi area, or Tennessee district.

Seventh—The Lower Mississippi district, including the southern half of Arkansas, Louisiana and Mississippi.

Eighth—The Gulf district, including the Gulf States east of the Mississippi. It is not intended, of course, to bound these districts by any definite lines; they can only be stated in very general terms. However inetresting the study of these several districts, the vast amount of data collected, compared and recorded, and the conclusion reached, or, still under discussion by archaeologists, in regard to the origin and character of the mysterious ancient works, which attest the existence of an ancient and mysterious people or peoples who built them, our interest attaches now particularly to the third, or Ohio, district, which embraces the Great Kanawha Valley. The great uniformity of the works throughout this district having established the conviction in the minds of archaeologists of the identity of their origin, while their peculiar characetristics are so well marked, distinct and different from the works of other districts, as to force the conclusion that their builders were a different people from those who built the works of any of the other districts. From the time of the earliest white settlements here the Kanawha Valley has been a rich field for the collection of scattered sur-

face relics. Splendid specimens in great variety and vast numbers have been carried away to enrich private and public collections in this country and in Europe.

Our own early citizens, unfortunately, attached little or no importance or value to them; they picked them up in the roads or the fields and laid them on the mantel or shelf, or they served as playthings for the children until given to the first stranger who came along with enough appreciation of their value or interest to ask for them and carry them away. It has only been within late years, when nearly all the loose specimens were gone, that a few citizens of the valley have tried to stop the outside drain and to collect the few that are left into private cabinets. Of the great number of mounds and other earth and stone works abounding in the vally very many have been destroyed by digging them to pieces from ignorant curiosity, or sometimes a silly search for treasure.

This iconoclasm has, of course, taught no one anything, and benefited no one, but has destroyed the mounds for future intelligent examination by expert archaeologists. Until a few years ago no intelligent and systematic examination and study of these works had ever been undertaken, to try to learn something of the history and character of the mysterious people who built them and held them, probably, for hundreds and possibly for thousands of years, and then vanished before the advent of the white man, leaving their unwriten records buried in these mounds and in mystery. In 1883-4 the Smithsonian Institution sent Col. P. W. Norris, who had had a large experience in mound explorations in other districts to this valley to examine and report upon the works here. Prof. Cyrus Thomas, in charge of the corps of mound explorers, in speaking of Col. Norris' report, says:

"Through his explorations it was made manifest that one of the most extensive and remarkable groups of ancient works in the United States is contained in the section mentioned. There is probably no group exhibiting greater variety of works. They comprise mounds of various forms, from a few inches to forty feet in height, circular and irregular enclosures, parallel lines of walls, elevated ways, basins and ditches, stone cairns and rude stone structures of an anomalous characetr. Although the exploration of this interesting group is far from complete, it is sufficient to indicate, with great probability, that the people who constructed the mounds within it built the Grave Creek mound, or were intimately related to the authors of that celebrated tumulus. Some indicaitons also appear that the builders of these mounds were related to the authors of the ancient works of the Scioto Valley. From the indications still existing a large

population of mound builders must have dwelt in this valley at some time in the remote past. One of their chief centers of population was on the Kanawha river, on both sides, from here to seven miles below Charleston. They occupied not only the alluvial bottoms, but the hills and ridges on both sides. Here they constructed a large number of works of nearly all the varieties above enumerated.. Here Col. Norris began his labors. The writer accompanied him in some of his excavations and inetresting explorations, the first being on the farm of the late Col. B. H. Smith, on the north side of the river, about six and one-half miles elow Charlesotn, the first opened being a large mound in the second bottom and about half way between the river and the hill. It is conical in form, 175 feet in diameter at the bottom and thirty-five feet high. The excavation proved to be a double or two-story structure, as it were. The first or bottom story was twenty feet high, and afterward fifteen feet more was added, making a total of thirty-five feet. A square shaft was sunk down through the center of the mound to and a little below the original surface of the ground. The shaft was begun twelve feet square at the top, and gradually reduced to six feet at the bottom. But little below the surface sod was found a pile of rough, flattish, irregular-shaped stones, of probably 100 to 200 pounds weight each It was about half a mile to the nearest point where they could have been gotten. Upon removing these stones—probably a ton or more—a stone vault was discovered seven feet long by four feet deep. In this was one large skeleton, which seemed to have been buried without the head, as no sign of the skull could be found; the bones were much decayed. One spearhead was the only implement found with this skeleton. Just under the vault and six feet from the top of the mound, was found a second skeleotn, ordinary size; it was surrounded by earth and much decayed. At three feet below the last and nine feet from the top, was a third skeleton, enclosed in the remains of a bark coffin, and surrounded by dry, loose earth. The bones were less decayed than the last. The skull was a "flat head;" it had been artificially compressed. At twelve feet from the top the earth became mixed with ashes, and so continued for three or four feet. At this depth—say sixteen feet from the top—was found the decayed timbers which, as the excavation progressed, proved to have been a wooden vault about twelve feet square and seven or eight feet high, though much decayed and fallen in from the weight of the superincumbent earth. What remained indicated that the cover had been roof-shaped. Some of the timbers of the vault were walnut and twelve inches in diameetr. Five skeletons were found within this vault, the principal one being a huge figure, measuring seven feet

six inches in length and nineteen inches between the shoulder sockets. It lay upon the back, head to the east, legs together, and arms by the sides. It was on the floor of the vault and nineteen feet from the top of the mound. Beside this four other skeletons were found within this vault. The irregular positions of the bones indicated that the skeletons (if skeletons) had been placed in standing positions, one in each corner; but the irregular heaps of these bones suggested to some who saw them the possibility that the subjects may have been buried alive to accompany and attend their great chief in his journey to the happy hunting grounds and land of spirits. These bones were far decayed, save the forearm of one, which was preserved by two copper bracelets, which were found still in place. Upon the slow oxidation of the copper the salts are absorbed by the bones, giving them a tinge of green, and helping to preserve them from decay. The large skeleton above mentioned had on each wrist six heavy bracelets of copper; four others were found under the head, which, together with a spearpoint of black flint, were incased in a mass of mortar-like substance, which had evidently been wrapped in some textile fabric. On the breast was a copper gorget; in each hand were three spearheads of black flint, and others were about he head, knees and feet. Near the right hand were two hematite celts, and on the shoulders were three large and thick plates of mica. About the shoulders, waist and thighs were numerous minute perforated shells and shell beads. A handsome stone pipe, carved out of gray steatite, and highly polished, was found in the excavated dirt. In form and finish it is said to be precisely like the pipes of the Southern Cherookees, and aproaches very closely to a type found in the Miami and Scioto valleys. The writer visited this group of works about sixty years ago. The whole bottom, mounds, circles and all alike, were then covered by forests, the trees being of great age and large growth; many three feet and some probably as much as four feet in diameter., indicating that the mounds had not been disturbed, that no new ones had been built, and that neither the race who built them nor their successors had occupied the valley, and actually resided here for many generations or centuries.

After completing the exploration of the above described mound Col. Norris transferred his force to the opposite, or southwest, side of the river, and commenced the excavation of a large mound on the Creel farm. This is one—and the largest— of a grop of mounds and other works on that side of the river; all evidently being part of a general, central city, lying on both sides of the river. Col. Norris suggested, as a name for this ancient hive of people, "Great Kanawha City."

The Creel mound is conical in form, 173 feet in diameter at the base, and thirty-three feet high. The top has been somewhat cut down and leveled for a site for a judges' stand for a race course that was laid off around the mound. The excavation in the mound was commenced twelve feet square at the top and sunk to the bottom, narrowing as it went down. In a very hard bed of mixed earth and ashes, about four feet from the top, were found two much decayed human skeletons, adult size lying horizontally on their backs, with their heads to the south; and near their heads were several stone implements. From this point downward for about twenty feet nothing of importance was discovered. The earth was of light gray color, apparently composed of clay and ashes, and was very hard. When a depth of twenty-four feet was reached the earth changed to a much darker and softer material, and there was soon discovered casts and fragments of timbers from six to twelve inches in diameter; also numerous fragments of animal bones which had been split open, probably for their marrow. At the depth of thirty-one feet from the top a human skeleton was found lying with the head to the north; it had evidently been enclosed in a coffin or wrapping of bark. A thin sheet of hammered native copper was found in contact with the bones of the skull and had helped to preserve them. At this point the excavation was opened out to a diameter of about sixteen feet to give a better opportunity of finding and examining whatever might lie at the base of the mound. This disclosed the fact that the builders after having first leveled, smoothed and packed the natural surface, covered it with a layer of bark, inner side up, and spread upon this a layer of fine, clear, white ashes, probably several inches thick, though now pressed down to little more than an inch. On this bed of ashes the bodies were laid, and probably covered with bark. Examination here brought to light ten other adult skeletons, all extended horizontally, five on each side of the central skeleton, with feet pointing towards, but not quite touching it. Like the first, they had all been enclosed in wrappings of bark. With each skeleton on the east side was an apparently new lance head about three inches long, and by the right side of the northern one a fish dart, three arrow heads and some fragments of unio shells and pottery. No ornaments or implements of any kind were found with the five skeletons on the west side. In addition to the copper plates above mentioned a few shell beads and a large lance head were found with the central skeleton. The accounts of the exploration of the two mounds above described are made up, substantially from the notes of Col. Norris and the re-

port of Prof. Cyrus Thomas to the Smithsonian Institution, suplemented by the recolections of the writer himself. In closing his report of the last, or Creel mound, Prof. Thomas says: "As there were a number of holes resembling post holes, about the base, which were filled with rotten bark and decayed vegetable matter, I am inclined to believe there was a vault here, similar to the lower vault in the Grave creek mound, in which the walls were of timber set up endways in the ground. But is is proper to state that the assistant who opened the mound (Col. Norris), is rather disposed to doubt the correctness of this explanation." The writer remembers discussing these interesting and unique holes, or tanks, with Col. Norris at the time. His (Col. Norris') opinion was, or, at least, it was his suggestion, that they were purposely constructed for water tanks to hold a suply of water to serve the departed on their long journey thither. Some of them were filled with water when discovered and others partially filled. How did this water get into these tanks? It does not seem probable that it percolated down through the mound for more than thirty feet, nor that it was drawn up by capillary attraction from the earth below. In either case the surrounding earth would have been wet or damp, while, on the contrary, it was quite dry. If they had been the holes of vault posts they would probably have been symmetrically aranged, perhaps in the form of a hollow square, but they were scattered and irregularly located. If they had been post holes the bottoms would have been irregular and rough, corresponding to the haggled and ragged end of posts cut off, or worn off, by a stone axe or burnt off by fire; but the bottoms were flat and level, making a right angle with the perpendicular sides. If for posts the sides of these holes would have been irregular and rough, corresponding to the shape of the posts, with impressions of knots, bark, etc. These holes were nearly true cylinders, the sides and mottom comparatively smooth, and apeared to have been designedly and carefully smoothed. If post holes, their interiors would have been like the surrounding earth; these seemed to be lined with a composition cement, apparently of clay and ashes. If ordinary post holes they would have been pervious to water: any water put in them, or by any means getting in them, would have found its way through sides and bottom and been absorbed by the surrounding earth; these seemed to be water tight. Post holes would probably have been of nearly uniform size: these varied greatly in both diameter and depth.. In view of all the facts is it more probable that they were post holes or water tanks; or is there any other solution more plausible than either of these? Col. Norris, who had had large

experience in exploration of mounds, in several of the districts, had never seen anything of the sort before. As illustrating the general character of the smaller mounds of this region, many of which were examined by Col. Norris, descriptions of a few are here quoted from the interesting report of Prof. Thomas.

One twenty feet in diameter and seven feet high, with a beech tree thirty inches in diameter growing on it was opened by running a broad trench through it. The material of which it was composed was yellow clay, evidently from an excavation in the hillside near it. Stretched horizontally on the natural surface of the ground, faces up and heads south, were seven skeletons—six adults and one child, all charred. They were covered several inches thick with ashes, charcoal and firebrands, evidently the remains of a very heavy fire which must have been smothered before it was fully burned out. Three coarse lance heads were found among the bones of the adults, and around the neck of the child three copper beads, apparently of hammered native copper. Another mound fifty feet in diameter and five feet high, standing guard, as it were, at the entrance of an enclosure, was opened, revealing the following particulars: The top was strewn with fragments of flat rocks, most of which were marked with one or more small artificial cup-shaped depressions. Below these to the depth of two or three feet, the hard, yellow clay was mixed throughout with similar stones, charcoal, ashes, stone chips and fragments of rude pottery. Near the center and three feet from the top of the mound were the much decayed remains of a human skeleton, lying on its back, in a very rude stone slab coffin. Beneath this were other flat stones, and under them charcoal, ashes and baked earth, covering the decayed bones of some three of four skeletons which lay upon the original surface of the ground. So far as could be ascertained, the skeletons in this mound lay with their heads toward the east. No relics of any kind worthy of notice were found with them. Another mound of similar size, upon a dry terrace, was found to consist chiefly of very hard clay, scattered through which were stone chips and fragments of rude pottery. Near the natural surface of the ground a layer of ashes and charcoal was encountered, in which were found the remains of at least two human skeletons. A mound some 200 yards south of the enclosure, situated on a slope and measuring fifty feet in diameter and six feet in height, gave a somewhat different result. It consisted wholly of very hard clay down to the natural surface of the hill slope. But further excavations revealed a vault or pit in the original earth, eight feet long,

three feet wide and three feet deep at the upper end. In this was found a decayed skeleton, with th head up hill or toward the north. Upon the breast was a sandstone gorget, and upon it a leaf-shaped knife of black flint and a neatly polished hematite celt. The bones of the right arm were found stretched out at right angles to the body, along a line of ashes. Upon the bones of the open hand were three piles (five in each) of small leaf-shaped flint knives. The above described four small mounds pertain to the Clifton group. A few will now be given from the extensive group below Charleston for comparison. Below No. 7, sunk into the original earth, was a vault about eight feet long, three feet wide and three feet deep. Lying extended on the back in the bottom of this, amid rotten fragments of a bark coffin, was a decayed skeleton, fully seven feet long, with head west. No evidence of fire was to be seen, nor were any stone implements discovered, but lying in a circle just above the hips were fifty circular pieces of white perforated shell, each about one inch in diameter and an eighth of an inch thick. The bones of the left arm lay by the side of the body, but those of the right arm, as in one of the mounds heretofore mentioned, were stretched at right angles to the body reaching out to a small oven-shaped vault, the mortar or cement roof of which was still unbroken. The capacicty of this small circular vault was probably two bushels, and the peculiar appearance of the dark colored deposit therein, and other indications, led to the belief that it had been filled with corn in the ear. The absence of weapons would indicate that the individual buried here was not a warrior, though a person of some importance. Mound 23 of the same group presents some peculiaritiies worthy of notice. It is 312 fee in circumference at the base and twenty-five feet high, covered with a second growth of timber, some of the stumps of the former growth still remaining. It is unusually sharp and symmetrical. From the top down the material was found to be a light gray, apparently mixed earth, so hard as to require the vigorous use of the pick to penetrate it. At the depth of fifteen feet the explorers began to find the casts and fragments of poles or round timbers less than a foot in diameter. These casts and rotton remains of wood and bark increased in abundance from this point until the original surface of the ground was reached. By enlarging the lower end of the shaft to fourteen feet in diameter it was ascertained that this rotten wood and bark were the remains of what had once been a circular or polygonal, timber-sided and conical-roofed vault. Many of the timbers of the sides and roof, being considerably longer than necessary, had been allowed to extend the points of support often eight or ten feet,

those on the side and beyond the crossing and those on the roof downward beyond the wall. Upon the floor and amid the remains of the timbers were numerous human bones, and also two whole skeletons, the latter but slightly decayed, though badly crushed by the weight pressing on them, but unaccompanied by an ornament or implement of any kind. A further excavation of about four feet below the floor, or what was supposed to be the floor of this vault, and below the original surface of the ground, brought to light six circular, oven-shaped vaults each about three feet in diameter and the same in depth. As these six were so placed as to form a semi-circle it is presumed there were others under that portion of the mound not reached by the excavation. All were filled with dry, dark dust, or decayed substances, supposed to be the remains of Indian corn in the ear, as it was similar to that heretofore mentioned. In the center of the circle indicated by the position of these minor valuts, and the supposed center of the base of the mound (the shaft not being exactly central), and but two feet below the floor of the main vault, and in a fine morter or cement, were found two cavities resembling in form the bottle or gourd-shaped vessel so frequently met with in the mounds of southeastern Missouri and northwestern Arkansas. Unfortunately the further investigation of this work was stopped at this stage of progress by cold weather.

"Mound 31, of this group, seems to furnish a connecting link between the West Virginia and the Ohio mounds. It is sharp in outline, has a steep slope, and is flattened on the top, is 318 feet in circumference at the base and twenty-five feet high. It was opened by digging a shaft ten feet in diameter from the center of the top to the base. After passing through the top of the larger surface soil, some two feet thick, a layer of clay and ashes one foot thick was encountered. Here, near the center of the shaft, were two skeletons, lying horizontally, one immediately over the other; the upper and larger one with the face down and the lower with the face up. There were no indications of fire about them.

"Immediately over the heads were one celt and three lance heads. At th depth of thirteen feet, and a little north of the center of the mound, were two very large skeletons, in a sitting position, with their extended legs interlocked to the knees. Their arms were extended and their hands slightly elevated, as if together holding up a sandstone mortar which was between their faces. This stone is somewhat hemispherical, about two feet in diameter across the top, which is hollowed in the shaps of a shollow basin or mortar. It had been subjected to the action of fire until burned to a bright red. The cavity was filled with white ashes, contain-

ing small fragments of bone burned to cinders. Immediately over this, and of sufficient size to cover it, was a slab of bluish gray limestone about three inches thick, which had small, cup-shaped excavations on the under side. This bore no marks of fire. Near the hands of the eastern skeleton were a small hematite celt and a lance head, and upon the left wrist of the other two copper bracelets.

"At the depth of twenty-five feet, and on the natural surface, was found what in an Ohio mound would have been designated an 'altar.' This was not thoroughly traced throughout, but was about twelve feet long and over eight feet wide.

"It consisted of a layer of well prepared mortar, apparently clay, slightly mixed with ashes. This was not more than six or eight inches thick in the center of the basin-shaped depression, where it was about one foot lower than at the other margin. It was burned to a brick red and covered with a compact layer of very fine white ashes scattered bearing evidence of having undergone an intense heat. The material of the shaft, after the first three feet at the top, consisted almost wholly of finely packed ashes, which appeared to have been deposited at intervals of considerable length and not at one time. This last mound much resembles the Ohio Otter mounds, but differs in this: that if an otter mound at all, it was also used as a burial mound. Near this a number of stone slab graves, box shaped, were found, also a cache resembling those found in Ohio. There are in this group of works graded roads or streets, with cross roads; the angles were marked by triangular flat stone of tow sizes, corresponding to the size of the road. These stones were marked by small cup-shaped excavations on one side. In this group, froming the ancient 'Great Kanawha City' of Col. Norris, there are about one hundred monuments all told, consisting of mounds, large and small, of earth and stone, enclosures of earth and stone, caches stone graves, graded streets, etc. A number of others were examined by Col. Norris, but those above described are typical structures and will serve to show the character of the works of this region.

A comparison of these works with those of Ohio satisfied Prof. Thomas that "the authors of these structures were also the authors of the Ohio works, or that they belonged to tribes so closely related that they may justly be considered as one people."

In discussing the probable identity of the builders of the Ohio mounds, the Kanawha mounds and the mounds of southwest Virginia, east Tennessee and western North Carolina, Prof. Thomas further says "I have been and am still disposed

to connect the mound builders of the Kanawha Valley with those of western North Carolina, but our explorations in the two sections have convinced me of their close relation to the people whose mysterious monuments dot the hills and valleys of Ohio. That they were related in some way to the mound-builders of North Carolina and east Tennessee is more than probable, but the key to unlock this mystery, if it exists anywhere, is most likely to be found in the history, traditions and works of the Cherokees, and the traditions relating to the Tallegwi."

It is pretty well established and conceded that the mounds of Wisconsin and, perhaps, elsewhere in the Northwest, were built by the tribes inhabiting the country at the coming of the whites or their ancestors; but the case is quite different in the Ohio district, the works of which are more in doubt and mystery than those of any other part of the country. They seem to be, and probably are, much older than the Northwestern mounds. The two principal theories of the origin of the mounds, that is, first, that they were built by an ancient, extinct and forgotten race, and, second, that they were built by post-Columbian tribes and their ancestors, may each be true in different localities. The Effigy and some other mounds of the Northwest may have been, and probably were, built in comparatively recent times, while those of the Ohio district may date back to a very remote past.

Early Spanish writers gathered from the traditions of the Mexicans and Central Americans that the ancient Toltecs had occupied this part of the continent, the Mississippi and Ohio Valleys, for a very long time and a very long while ago. Their country was called Hue-Hue-Thlapalan, until finally the Thalapalanese, or Toltecs, were overcome and driven out by hords of more savage tribes, and returned to the southern regions, whence they had originally come. The time of this return to their ancient Southern homes, according to the traditions, was about 2,500 years before Columbus, or 1,000 years before Christ.

Baldwin, in his very interesting work, "Ancient America," quotes de Bourbourg, Cabrera, Torquemada and others in regard to these ancient traditions and the evidence. He thinks they are very plausible and entitled to much consideration; he thinks the close similarity of their works is a strong argument in favor of the identity of their origin. He instances five mounds: Grave Creek, W. Va.; Miamisburg, Ohio; Uxmal, Mayapan and Chitzen-Itza in Mexico and Central America that are as much alike in their way as any five Gothic churches.

The whole subject is very interesting, but I have no space

here to elaborate it. It is a singular fact that what is now Ohio was uninhabited at the first coming of the whites. The tribes that came in later very naturally knew nothing of the origin or history of the mounds. Prof. Thomas expresses his conviction that there was during the mound-building age "a powerful tribe, or association of closely allied tribes, occupying the valley of the Ohio, whose chief seats were in the Kanawha, Scioto and Little Miami valleys."

He further says that "a careful study of all the data bearing on the subject leads me to the conclusion that the Cherokees are the modern representatives of the Talegwi, and that most of the typical works of Ohio and West Virginia owe their origin to this people. If the Cherokees were descended from or were mixed with the Talegwi, may not the Talegwi have descended from or been mixed with the Thlapalanese or ancient Toltics?"

Most of the works hereinbefore described are of earth, but there is another interesting class made wholly of stone. Whether they were built about the same time and by the same people who built the mounds and earth enclosures, or whether by a different race, and earlier or later, is not known; certain it is, that they bear marks of very great age.

There is an interesting work of this sort at the mouth of the Kanawha, just across the river from Point Pleasant. As described by an intelligent gentleman living at the spot, it is a stone wall built in a true circle, about 200 feet in diameter, built on the alluvial river bottom, near the river. The wall was originally about six feet high, with a base about two to two and one-half feet thick. The river has cut away the bank until it has encroached upon the stone enclosure, and about fifty feet of it has tumbled down on the beach. The stones are of a size to be carried by one or two men, and were evidently brought from the cliffs back of the bottom, half a mile or more distant. It is presumable that this circular wall was built on the then surface of the general bottom level; and if so the river has since then deposited about four and one-half or five feet of alluvium, raising the whole bottom that much, so that only a rim of loose stones on the surface now indicates where was originally the top of the wall.

My informant tells me that since the settlement of the country by the whites there have been about seven recorded rises in the rivers that have overflowed this bottom, and that the deposit from these seven rises has been so small as not to preceptibly raise the level of the bottom. He thinks the aggregate has not been to exceed an inch or two. At this rate it will be seen that at least twenty-five to forty centuries would be required to deposit the four and a half or five feet in-

creased elevation of the bottom since the foundations of this stone wall were laid.

In the upper part of the valley, about 30 miles above Charleston, on a high, rough and precipitous mountain, between Armstrong and Loup creeks, trending southward from the river, is an ancient, extensive and mysterious system of stone works, about the origin and history of which nothing is known.

The current reports and some written accounts of them were so conflicting that the writer, taking a surveyor with him, went up, two or three years ago, to examine, survey, measure and map them accurately, and a report of them was published by the West Virginia Historial Society in 1898., These works consist of walls or ridges of loose stone piled up in winrows, as it were, 12 to 30 feet wide at the base, and three to five feet high, varying in different places. The stones vary in size from, say 12x15x6 inches up to 3½ feet by 2½ feet by 7 or 8 inches thick; these large ones would require the strength of three or four men to handle them, as they must have been brought from considerable distances and up from lower levels; indeed, it is impossible now to tell where they came from in such immense quantitiies, as there are no evidences of quarries or other sources of supply that could have furnished such an immense amount of building material. These stone walls, or rows, cross the ridge at right angles, go down the slope of the mountain on either side, 66 to 75 yards, and turn, following the sides of the mountain, nearly parallel to the ridge until they turn up to make the next crossing of the ridge. This forms a walled enclosure, or partial enclosure—for the walls are not continuous—it is partly wall or row of stones, partly assembled loose stone, apaprently ready to be thrown up into a row or wall, and partly vacant spaces, where there is neither wall nor assembled stone. There are two of these partial enclosures along the ridge, similar in form and size, and about one mile between. The first wall crosses the ridge at an elevation of 1,350 feet, and the second at 1,450 feet obve river level—the highest point of the ridge between is about 1,600 feet, measured by pocket Aneroid barometer. The long diameter of both these enclosures, measured along the ridge is exactly the same—1,045 yards—while the distance between is 1,776 yards. At the south wall of the first enclosoure I estimated that the stone on the ground, if built up by a mason into a regular wall, would make a wall three feet at the base., one foot at the top, and 25 feet high. If the wall or winrows of stone around these enclosures were continuous, as probably intended by the builders, there would be about

three miles of wall.. In the first enclosure are two so-called round towers. One is a pile of stone about 20 feet in diameter, turtle-backed in shape, and about three feet high in the center. The other is a circular ridge of stones about 33 feet in diameter.

Not far from these is a saucer shaped basin about 20 feet in diameter, with a well hole near the center about six feet in diameter and four feet deep: this affords a scant supply of water, but never goes entirely dry.

At the base of the mountain on Armstrong creek is the foundation—all that is now left—of an old stone round-house or fort, about 50 feet in diameter and said to have been 12 feet high when the country was first settled by the whites. An old man told me that, in his youth, he had hauled 400 wagon loads of stone from it to build farm fences for a former owner of the land, and the Armstrong Creek Railroad had taken the balance of it for retaining walls to protect their railroad along the creek.

On the west side of Armstrong creek, some four or five miles from the enclosures on the Armstrong-Loup Mountain there is another stone enclosure around a high conical peak of the mountain He says the wall is continuous, is about two feet high and encloses an area of about three acres. I did not go to it, but the old man who told me about it is an intelligent man, has followed seng digging in those mountains for thirty years, and has been to it often.

On Paint Creek Mountain, about seven or eight miles below the Armstrong-Loup Mountain, is another large stone work similar to those described above, but not so entensive. They were surveyed, mapped and described for me by an intelligent surveyor, who has often seen them. No flint or stone tools or implements, no shell or bone or other ornaments, no pottery, nothing to indicate what manner of people the builders were, have even been found in or about the stone enclosures; and I have never heard an intelligent or reasonable conjecture as to when, how, by wrom and for what purpose these immense stone works were constructed.

Indian chiefs who used to pass this way to Washington to confer with the government, claimed to know of the existence of these stone works, but knew nothing of their origin or history.

In the early settlement of the valley there were a number of handsome pictured rocks along the river, representing animals, birds and other objects; most of these have been ruthlessly destroyed, but some remain. Up some of the creeks. Notably on Horse creek, there are specimens of picture writing on the rocks.

Some four or five years ago there was accidentally discovered in a cave in the high cliffs back of Lewiston, about twelve miles above Charleston, a most interesting and mysterious wooden image of the human figure.

This statue, when erect, stands upon a wooden pedestal 13 inches in diameter and 8 inches high. The image from the pedestal up is 3 feet 8 inches; the head, from front to rear, is 6½ inches; from side to side, about the same; from the top of head to chin 7½ inches; across the shoulders 11 inches; across the hips 9 inches, and through the chest, front to back, 6½ inches. The figure has no feet; it joins the pedestal at the ankles. The figure holds in its arms an animal, generally supposed to be a lamb, probably a peace offering intended for sacrifice. The human image, the animal, pedestal and all, are carved from a single block of wood, a section of a tree, believed to be chestnut. The writer visited the scene of the find at the time and wrote a full account for the West Virginia Historical Society, and this was published in 1897. The image is now in the rooms of the Historical Society.

In Josh Bell county, Ky., in 1869, a somewhat similar figure was found, under similar circumstances, in an obscure hiding place in a cave. This figure had neither legs nor feet. It is believed to be prehistoric, but there is no clue to its history..

In a recent illustrated magazine article on Idols and Idol Worship among the savage tribes in various parts of the globe, about one-third of the images represented are without feet. This prevalent type of footless idols is very significant and must have had some important meaning; but what we know not.

The Kanawha Valley has been settled by whites only since 1773-4. It is altogether improbable, not to say impossible that the Kanawha image was executed by white men within that time. No one probably, will attribute it to the Indians. They were not given to such work; and the mound builders left no work of this kind. Then who could have executed it, and when? There is no answer.

In the eighteenth and nineteenth centuries there was a tradition among the Indian tribes of the Ohio Valley that in the long, long ago, how long they knew not, the Kanawha Valley was inhabited by a race of white or pale faced people; that they were persected by the Indians, greatly reduced, driven west and finally entirely exterminated. Gen. Geo. Rogers Clarke says that an old Indian chief told him this story. A Sac. chief told it to Col. Joe Daviess, and Cornstalk and others told it to Col. Moore and Col. McKee at Point Pleasant. (See Collins' History of Kentucky.)

Paddy Huddleston, an intelligent early settler of this valley, said that the Indians told him that this valley had, long before, been inhabited by a white race.

In the narrow river bottom at the base of the Armstrong-Loup Mountain, on which the stone works above described are built, is an extensive burying ground, in which the mode of burial was peculiar. The bodies were placed four feet under ground; from the hips down they were horizontal, but from the hips up the body was inclined at an angle of 30 degrees, with the face looking to the East. May not this indicate that they were sun worshipers?

An intelligent gentleman who examined these graves when they were disturbed by the C. & O. and the Armstrong Creek railroads, when they cut through this old cemetery, and measured the facial angles of a number of the skulls, says they indicated a higher grade of intellectual development than those of Indians. Who were they? Could they have been the ill-fated pale faces who were driven out of the valley and exterminated so long ago? Could they have been the builders or engineers of the mysterious stone walls on the mountain, left unfinished? Could they have carved the interesting wooden image above described? If so, their works remain, but their history and fate are forever blotted out from the memory of man.

THE OLDEST TOWN IN WEST VIRGINIA.

BY W. S. LAIDLEY, ESQ.

By the term "town" we do not mean, as the word is sometimes used, a sub-division of a county, such as a township or district, but we mean a collection of houses, located close together, inhabited by families, and in which also business is conducted, without regard to the fact that it is established by an Act of the Legislature, but of such size as to enable it to and to have a name or designation, and without regard to the size, whether better named a village, town or city.

That part of West Virginia within the counties of Berkeley and Jefferson was first settled, and they were formed

from the original county of Frederick, which was taken from Orange. The settlement in Frederick began about 1732, as far as is known, and extended over the mountain west on the South Branch of the Potomac, and the County of Hampshire was formed at an early day. (1754.)

Fredericktown, afterwards called Winchester, had only a few log houses in 1738.

There was another town called *Newtown*, afterwards known as Stephens City, that began at a very early date, which is also in Frederick county and was a rival for the honors of being the county seat of Frederick, but was beaten in the race by Winchester.

But of the towns that are now in West Virginia the oldest would be either in Jefferson, Berkeley, Morgan or Hampshire, in so far as we have any information, and we believe the contest may be narrowed to the towns of Shepherdstown, in Jefferson, and Romney, of Hampshire.

As to the settlement of Shepherdstown, or as it was first called Mecklenburg, there seems to have been some doubt, some mystery, and by some of the good people of that municipality it is claimed to have been peopled at a time beyond which the memory of man runneth not to the contrary."

It is claimed that the Indians established here a crossing, or rather they followed the track of the buffalo, which here found a place that the Potomac river could be forded, and that the Indians maintained the said trail, and that there were a party of German mechanics, somewhere, some time which followed that said trail and landed on the south side of the river and there made their abode, and that they called it Mecklenburg. In the early days of the settlement of Frederick county it was known as the "Pack Horse Ford," and this name would naturally be supposed to have been the older of the two.

In the early days when there were no roads for wagons, nor wagons for roads, the transportation from Frederick county to the Eastern markets, and there were no Western ones, was carried on by pack horses, and following the trails they had to come to this point to be able to go over the river, as there were no bridges nor ferries, and it thus obtained the name of "Pack Horse Ford." Had there been then a town there, known as Mecklenburg, it is hardly possible that it would have been called a ford.

Kerchoval wrote a history of this country and of its settlement, and tells who were the first to come and settle in this part of the valley and he makes the beginning in 1732, and

there is no insinuation of there having been any settlement there previous to that date.

There have been later writers that have attempted to make it appear that there were settlers prior to this date, and they all go back to the settlement of the German mechanics at Mecklenburg, but are not able to give any date of their coming. Norris wrote a history of this part of the valley, and he says that the place was settled before 1732, but he is unable to furnish any date of their arrival, nor can he give the name of one of said settlers or mechanics, nor has he ever furnished a fact or circumstance that even tends to sustain his claim. He says they did not procure the title to any of the lands on which they settled, because it was not convenient to find a land office, there being no court house nearer than Spottsylvania, but as the only way was to get a grant from the Governor they would have been compelled to go to Williamsburg, which was even more inconvenient.

There is not claimed any grant or deed or will, nor any house or other monument to indicate their presence before 1732, except the one little grave stone which was found some five or six miles from this point, where there never was a town, the monument to Catarina Biererlin, who was born in 1687, and was evidently a good German Roman Catholic, and it is claimed that she died and was buried in 1707. This stone does not say so now, whatever it may have once said, and there are so many conflicting expressions as to what it did say that it proves nothing.

But when it is remembered that at this date it was not known that the Potomac extended through the Blue Ridge, that no one in Virginia knew anything whatever of anything west of said mountains, and that it was an impossibility for any one to have been there, or to have lived there, it is useless to discuss this claim at this time.

Hite and others went there in 1732, and they began at once to bring people to settle there, and from this date down there has been no trouble in tracing the settlers, and especially those who obtained land and settled thereon.

When it is known that Hite and the Van Meters were related by marriage, and Thomas Shepherd's wife was a Miss Van Meter, that Cornelius Ettinger married a Miss Van Meter, and the two sons of Hite married the two daughters of Mr. Ettinger, and that Abraham Hite, another son, married of Mr. Ettinger, and that Abraham Hite, another son, married a Miss Van Meter, it will be seen that there were no antagonistic relations between Mr. Shepherd and the Hites.

Hite's business was to colonize the country as rapidly

as possible, for, when he located a family on these lands he secured one thousand acres, and he had a contract, or orders to locate, one hundred and forty thousand acres. He surveyed the same in tracts to suit purchasers and assigned the survey and the Governor made the grant to the assignee, and in all the grants of this kind, the facts are therein stated. The first grant made to land west of the Blue Ridge was made August 20, 1734, to Jos. Hite, for 1,020 acres, and is recorded in Grant Book No. 15, page 276. On the next day there was granted to John Smith 420 acres, and to Rus Smith 150 acres, and to Henry Willis 2,030 acres, all of whom were Hite assignees.

The next time the Governor was called upon to issue grants was October 3, 1734, when a large number were issued, among whom were Thomas Shepherd, 220 acres; Richard Morgan, two tracts; Stephen Hollingsworth, Morgan Morgan, Alexander Ross and others, who have been mentioned as having been there before 1732, but the fact that they were purchasers of land from Hite in 1734 will not bear out this claim, but contradicts the same. We mention these facts to show that the owners of the soil were not there before 1732, and they never made any mention of finding any thrifty German mechanics having made a settlement at the Ford. The next time and circumstances that would have brought to light this fact, had it existed, was in 1748, when Washington was sent by Lord Fairfax to make surveys in the same vicinity, and who was all over the country and wrote down everything he saw that had any bearing on the quantity or value of the land, and it is nowhere mentioned that a German settlement, nor any other kind, was found on the Potomac at this point. Then came the French and Indian war. The Indians left the country and retired west of the Alleghenies in 1754, and found the French in the war against the English, and Braddock brought his army and Washington went with him, with the Virginians and the men of the valley joined to march west with the said army. There is no mention of any settlement having been found there on the river, nor were there any soldiers found to join in the march against the French, and nothing to indicate that there were either men or anything else at this point on the river.

All these are opportunities, so to speak, in which the settlement would have been discovered and made known, and in all that has ever been written there is not one word to designate a town at the point claimed, and which would have been noticed had it been there.

There is no doubt but that Thomas Shepherd secured the title to the land at the place known as the Pack Horse

Ford, and that Richard Morgan secured two tracts near to or adjoining that of Shepherd's.

In the seventh volume of Henning's Statutes, page 609, there will be found the following account of the General Assembly, dated in 1762, which speaks for itself and says something bearing on this point:

"Whereas, it is represented that Thomas Shepherd, of Frederick county, hath laid off about fifty acres of his land on the Potomack, in said county, into lots and streets for a town and has disposed of many of said lots, the purchasers whereof have made their humble application that the said land may be established a town, being pleasantly and commodiously situated for trade and commerce. Be it enacted, that the same be established a town by name of Mecklenburg, and when the freeholders shall have built upon and saved their lots, according to the condition of their deeds, it shall be entitled to all the rights of other towns, &c."

This shows that Mr. Shepherd owned the land, that he laid part it off into lots, and that the purchasers had to build on them or they would not save them, according to the conditions of the deeds, which deeds made by Shepherd were recorded in 1762.

This shows that the lots had not then been built upon, and when built upon Mecklenburg would be entitled to all the rights of other towns. It was a prospective town, not one already built. It was one in futuro.

Does anyone believe that if there had been houses with a thrifty German settlement which had been there, as claimed, some thirty or forty years, that no mention would have been made in this act of the fact that these people desired to be included within the said town?

It does not seem possible for us to date the beginning of this town, Mecklenburg, afterward named Shepherdstown, earlier than 1762, and it must have been "a very little one" then. Now what about Romney?

Hampshire was settled soon after Frederick began, and Romney was to Hampshire what Winchester was to Frederick.

It was the center around which they all clustered for mutual protection. How many people were there is not known, but Lord Fairfax one day saw a drove of fat hogs pass through Winchester and learned that they came from the South Branch, insisted that the similarity to Hampshire of England was so great that the new county must be so named. No doubt there was a town in Hampshire when the county was formed, and no doubt that town was Romney.

In said volume of Henning's Statutes, page 598,

the town of Romney was established, and the act states that Lord Fairfax had laid out one hundred lots of one-half acre each and had sold lots and the purchasers had built thereon, and desired to be made into a town, and it was done. Here is the fact that the buildings were there, in 1762, and as the county had existed since 1753 it is more than probable that the town had existed from that time or before.

Our conclusion therefore is, that Romney is the oldest town in West Virginia, and some have said that it obtained its growth some time since, but this all wrong; it is still gradually spreading out over the beautiful valley. Shepherstown has the normal school, and is otherwise a delightful place, while Romney has the Institution for the Deaf, Dumb and Blind. Each has a river and a railroad; each is located in a rich farming country, and each old enough to take care of itself.

THE RUFFNERS.

II: JOSEPH.

BY DR. W. H. RUFFNER

Joseph Ruffner, the eldest son of the first Peter, was the head of the large Kanawha family. He was born in 1740, on Hawksbill Creek in Shenandoah, now Page county, at the Big Spring mentioned in former article. At 24 years of age he married Ann Heistand (or Hiestand), daughter of Henry Heistand, of the neighborhood. She is reported as having been a tall, comely woman of good sense and German virtues. Joseph had the maternal characteristics of raven black hair, black eyes, dark complexion and stature above medium. Though full of energy, and occasionally vehement, he had usually a quiet manner and amiable temper. They had eight children, all of whom, except one who died young, ultimately went to Kanawha.

Joseph Ruffner's farm lay next above his father's, on both sides of Hawksbill creek. It consisted of 1,200 acres of fertile land, and included the north fork where the two branches of the creek united. Here were his family and farm buildings erected, and also a grist mill and saw mill, which are now known as the Willow Grove Mills. He operated extensively and successfully. Among other things, he is reported to have dealt largely in bear skins for the French army. In those days the skins of deer, beaver, otter, raccoon and other animals also constituted an important item of trade. Flour, Whiskey, butter, beeswax, dried fruit, wool, flaxseed, etc., constituted the bulk of the outgoing domestic products..

Fredericksburg was the chief market town for the people of this neighborhood, and Joseph Ruffner kept on the road a large wagon covered with bear skins and drawn by six gigantic horses, most probably the Lancaster County (Pa.) Conestogas. This turnout was not only "famous over all the earth for ten miles around," but famous in all the country from Shenandoah to Spottsylvania. What freight was brought back in this lumbering ship of the mountains I cannot even guess, except the item of salt. Nearly everything used in the German settlement was made at home. There was Pennebacker's combined iron furnace, forge and foundry, within two miles of of Willow Grove Mills. Screws and nails were made in the blacksmith shops. Wagons, farm and domestic tools and implements and furniture were made in the neighborhood. Carpets, beds and clothing were made in the families. Tan-yards supplied all needed leather. Tea and coffee had not yet supplanted bean and potato soup for breakfast, and mush and milk for supper. Maple trees gave them "sweetening," both long and short. Herbs gave the old women their materia medica. Even guns were made in the settlements, and there were small lead mines then that have since been lost sight of.

But nevertheless there came gradually to be some demand for store goods, as is shown by the fact that the Scotchman, Mundell, opened a store at Willow Grove Mills in 1794, which was continued long enough for the growth of a village, which was called Mundellsville.

For thirty years Joseph Ruffner pursued his prosperous career, filling his barns year after year, raising and marketing cattle, hauling to Fredericksburg and back. Meanwhile his stalwart sons, David, Joseph, Tobias, Samuel, Daniel and Abraham, and his daughter Eve, were growing up around him with sober, industrious habits, and, excepting the unfortunate Samuel, showing the long-headed business sense which in due time exhibited itself in other fields.

This scene of prosperity was suddenly marred by an event which changed the course of the family history. Ruffner's great Switzer barn, crammed with the crop of 1794, in the basement of which were stabled seven cows and the six big horses, was burned; causing the loss of four of the horses and all the cows, besides the entire building and crops. Not long after this another stable was burnt and two more horses perished. Insurance was unknown in those days. It was the work of an incendiary, and no one doubted that the guilty party was a certain free negro man, against whom Mr. Ruffner had given testimony in court; but legal evidence against the fellow could not be obtained, and as Judge Lynch had not yet arisen, nothing was done with the scoundrel.

It is thought that these fires created in Ruffner's mind such a sense of insecurity that he determined at once on some important change, and he seems to have thought of engaging in the iron business at some distant point. This seems evident from the fact that in the same autumn in which the fires occurred he set out on a hunt for iron ore lands. Judging from the route he took it is probable he had heard of the ample beds of iron ore on the upper waters of the James river, which are now feeding so many enormous furnaces. He reached a point on the Cow Pasture which may not have been more than twenty miles from Clifton Forge—namely, the house of Col. John Dickinson, who, if I mistake not, was the head of a large and worthy family, some of whom are still to be found in the same region. This no doubt was the same Col. Dickinson who was in the battle of Point Pleasant. And it is not an extravagant surmise to suppose that what he (Ruffner) saw and heard of the Kanawha Valley during that famous march led him to get possession of the great Buffalo Lick.

At any rate Joseph Ruffner found Col. Dickeinson in possession of the deed for 502 acres, including the Salt Spring—a survey which was destined to become the most famous in the Kanawha Valley. It fronted on the river and extended up Campbell's Creek. Dr. Hale has made the public acquainted with the early history of the little briny swamp on the north bank of the river five miles above Charleston, which, by courtesy, was called a spring, and in truth was the most frequented of all the watering places ever known in Virginia. Buffalo, elk and deer came in great numbers and scored the river bank into deep gullies which long continued visible.

Col. Dickinson found that his visitor had money, and was just in a state of mind to listen. Before leaving the house Ruffner, who had foresight of his own, bought the sur-

vey, including the salt spring, for 600 pound sterling. The amount is commonly stated to be 500 pounds, but by reference to the deed it will be seen that 600 pounds is the true figure, whier was about $2,000. But the price was to be increased according to the subsequent production of salt. If this should reach 50 bushels per day the price was to be increased to 10,000 pounds. How this increase of price was avoided will appear in my next number. This transaction with Dickinson seems to be iconsistent with Ruffner's reputation for good practical sense, but the future showed that all his anticipations were correct.

As soon as this purchase was made Ruffner gave up his thought of making iron and immediately returned home. The next spring (1795) he rode out to Kanawha on horseback alone; and from Greenbrier he followed the track for 100 miles, along which only six years before Mad Ann Bailey had run the gauntlet of the Indians in carrying ammunition to hte Clendennin Fort. When he reached Gauley river he found it booming, and undertook to cross it in very peculiar style. I have the incident as recited to me by that devoted antiquarian, John L. Cole, who got it from the lips of Paddy Huddlestone, Sr., who lived a few miles below Kanawha Falls, and who witnessed it. Cole, in repeating impersonated Huddlestone, who said:

"One day I walked up the river and found Gauley very high; drift running. I travelled on up stream and when I got about seven miles from the mouth of Gauley I saw a man on the opposite side of the river leading his horse down a steep place to the bank of the river. There was no trail to this point, and I don't know how he got there, but he looked as if he meant to cross the river, but I didn't think he would be fool enough to try to ford it, or to swim it with all the load he had on. I couldn't imagine what he was going to do. But presently he took a short-handled axe from his saddle and went to work on a dry chestnut tree that had fallen against the cliff. The trunk he cut into lengths and split. He then took a rope and tied the pieces to his horse's tail and dragged them to a place to suit him. Then he took from his saddle bags some wrought nails and made a raft, which he put into the water and loaded his things onto it. He tied the raft to his horse's tail and pushed him into the river, jumped on the raft and started over. He guided the horse by speaking to him and got over safely. Then he knocked the raft to pieces and put the nails back in his saddlebags and came home with me for the night. This man was Joseph Ruffner."

At Huddlestone's the traveler was within 25 miles of the

Salt Spring, or "The Licks," as it was generally called then and for a long time afterward. It is quite likely that the new owner was disappointed in the quantity and strength of the water, but his faith was not shaken in the underground supply. Daniel Boone was then living on the opposite side of the Kanawha river, attracted thither by the big game that resorted to The Licks. But Boone's interest went down as Ruffner's interest went up. The old hunter saw that his occupation there would soon be gone and that he must follow the rolling buffalo and high-stepping elk, and leave the nimble deer to hide in the brush. In three or four years Boone's canoe flotilla glided through Elk shoals toward the setting sun. The people wept as they saw him go, but the time had come when the hunter and red man must give way to the farmer and the manufacturer.

When Joseph Ruffner went on towards Clendennin's Fort another sight greeted his eyes. It was that beautiful plain of 1,000 acres on which now stands the capital of West Virginia. It was still almost covered with virgin forest, made up of trees of a size much beyond those of the country east of the Alleghany. The assemblage of flat land, trees, hills and rivers evidently roused the enthusiasm of the dark-eyed German. And here he found a little company of men congenial in spirit with himself.

Seven years before (1788) a colony of about a dozen men, headed by George Clendennin, had come from the East, established themselves on the north bank of the Kanawha, where they had built a fort, a residential blockhouse and six small dwellings, and had laid off a town of 40 acres in extent in the angle made by the junction of Elk river with the Kanawha. George Clendennin, with his brothers William, Robert and Alexander, and their father, Charles Clendennin, for whom the town was named, made up nearly half the colony.

The Clendennins were Scotch-Irish people who were living in 1753 in Borden's grant, which is now a part of Rockbridge county, Va. The tradition is that three brothers Clendennin came together from the north of Ireland. Two of them, Archibald and Charles, settled in Virginia. Charles ultimately went to Greenbrier. He was the father of George, who became a prominent citizen, and who bought the Charleston bottom in 1787, from Cuthbert Bullitt, who had acquired it from his brother, Col. Thos. Bullitt, the original owner. The fort said to have been built by Clendennin was occupied by a garrison in 1789, and in that year Mad Ann Bailey made her trip to Lewisburg. Her husband was one of the garrison.

By this time the fort had received the name of Fort Lee, in honor of Light Horse Harry.

Ruffner's visit to Clendennin's Fort was the arrival of a new power in the Kanawha Valley—a power which was to create, to strengthen, to develop and to abide. He at once saw rich resources of many kinds. There were hundreds of acres of the finest saw mill timber, there was the land fat with vegetable matter, loose and easily cultivated, there was the beautiful Kanawha or Woods river, alive with fish, navigable for large boats, and communicating with a vast system of navigable streams pouring their water into the Gulf of Mexico, and in spite of the departure of the elk and buffalo, there were still deer, beaver, otter and raccoon, and bears enough to bed all the armies of Europe. Who can doubt that the penetrating eye of Joseph Ruffner saw all this, and perhaps more? At any rate, before he left the place he owned everything from Elk river to the "head of the bottom," about three miles. The bottom was owned by three of the brothers Clendennin—George, William and Alexander—from each of whom he received a deed. As to the pioneer history of this locality the reader is referred to the detailed and reliable historical sketches which have been published from time to time by Dr. J. P. Hale.

Besides the fort close to Charleston, there was at the time of the purchase by Ruffner another and smaller fort on the river bank about one mile above the settlement; said to have been built by Clendennin for the protection of men who were engaged in clearing land at that place. This fort stood in front of the present site of Holly Grove brick mansion, built in 1815 by Daniel Ruffner, son of Joseph. At this time besides the seven families at the lower fort there was not a family living between Charleston and Point Pleasant—60 miles, and a very few living in the upper end of the valley.

In a few days after his purchase Joseph started back to Shenandoah, and in the autumn of the same year (1795) he removed his family to Kanawha, excepting his oldest and only married son, David, who remained another year in Shenandoah. Five unmarried, grown sons came with their parents, namely, Joseph, Jr., Samuel, Tobias, Daniel and Abraham. The only daughter, Eve, was married about this time to Nemiah Woods, who settled in Ohio.

Joseph sold his landed property in Shenandoah to Forrer, and he afterwards sold to Gibbons. When he brought his family to Kanawha his first care was to provide a home and the conveniences and necessaries of living. It is believed that he sojourned for a time in the Clendennin house, but he fixed upon the location of the small fort as his permanent home.

Immediately behind the fort, on a site about midway between the fort and the site of the present brick house he erected a comfortable hewed log house, and moved his family into it. There he spent the remainder of his days, which, alas! were not to be many. Here they all went to work and "lifted the axes against the thick trees." Ah, let us not forget what heavy labor, what patient endurance, what rough living, characterized the life of the men who first contended with the mighty forests of Kanawha Valley. And this Ruffner family could not forget that within one year murder had been committed by Indians within a mile of where they were living.

Joseph was promptly made overseer of the public road that passed his lands, and the next year he was presented by the grand jury for the bad condition of his road!

Town lots in Charleston sold slowly. There were in the beginning only 40 of them of one acre each. In the deed executed the consideration mentioned usually was nominal. In one deed, however, five pounds sterling is mentioned as the price—about $16. But in 1892 one lot sold for $166.67. The land at the lower end of the bottom was rated at $12 per acre.

Joseph continued to be land hungry, even after he had bought the great bottom, as shown by a deed made to him in 1797 by Wm. T. Taylor, of Kentucky, for 6,660 acres on Sixteen-mile Creek, on the Ohio river below Point Pleasant.

Of necessity, the whole family became riflemen. Panthers screamed around their dwellings at night, bears shared the corn crop, and squirrels sometimes came like Rocky mountain locusts. Hunting was the recreation of the men. Even in my boyhood bears were found about the heads of the hollows. When I first saw my uncle (by marriage) Moses Fuqua, he was riding up to his gate with a rifle in front and a bear behind. This was about 1835.

Whilst waiting for the time when his attention could be somewhat withdrawn from his farm work, Joseph leased to Elisha Brooks, "a droll genius," the privilege of making salt from the brine that was wasting at the edge of the river, and before the lease expired the proprietor had ceased his labors.

David Ruffner had brought out his family in 1796 and lived in the Clendennin blockhouse. Land at the lower end had been assigned to him, but his career was changed, as was the case with the others, by the death of the strong, brave, upright, far-seeing head of the family.

Joseph Ruffner died in March, 1803, aged 63 years and about 6 months. In his own mind his western career was

just beginning, but his unfinished work was left in able hands. The fourth son, Samuel, was the only feeble member, and he became so when in infancy he was nearly burnt to death in his cradle. The other five sons had brain and muscle suited to the rugged development work which lay before them.

The will of Joseph Ruffner is dated February 21, 1803, less than a month before he died. His home "plantation" and all his personal property he gives to his wife, after her death Daniel to become the owner of the farm. By this time Daniel was married and he remained with his mother. Among the personal items are three negroes, six axes, a "Conque Shell" (dinner-horn), and a large German Bible (Luther's version). The Bible, which was valued by the appraisers at five dollars, was a thick folio bound in leather with clasps, and illustrated by numerous pictures. It became an heirloom in the family, and descended to the eldest son bearing the Ruffner name in each succeeding generation, namely, to David, Henry, Wm. Henry, and now turned over to Joel Henry. No debts are mentioned. He probably owned nothing.

In the will Joseph divided the bottom (exclusive of the town) into three parts. The lower division he gave to David, who then lived upon it; the middle to Daniel, after his mother's death, and the upper division to Tobias. Joseph, Jr., and Abraham received outlying lands. The front bottom of the Dickinson survey containing the Salt Spring, was given to David, Joseph, Tobias, Daniel and Abraham; in other words, to all the sons jointly, except poor Samuel, who was to be taken care of by contribution from all the rest. To each son was given a lot in Charleston. David seems to have fellen heir to all the town lots not otherwise disposed of.

I think that no member of the large Ruffner family has been possessed of a deeper penetration, a sounder judgment, a readier facility for laying hold at the critical moment, and a cooler courage than the head of the Kanawha branch. Better than all, he was both honest and devout. His wife was a fitting companion. She outlived him 17 years, and died in 1820, aged 78 years. She was industrious and active and very benevolent. In her latter years she rode much on horseback, making social and charitable visits. Riding down "Ruffner Hollow" one night with her little grandson, Joel, behind her on the horse, a terrific scream came from a tree they were passing. The old lady simply said "It's a panther," at the same time laying whip to her horse, who shot down the ravine like an arrow, and carried the party safely to the open country.

When the time came to carve the names of these two old

people on the tomb, a large brown sandstone slab was selected, and laid horizbontally on tasteful sidings of light-colored stone, which may now be seen adorning the old Charleston graveyard in the bottom, not far beloy the Holly Grove Mansion. On the top slab is an ample record, ending with these beautiful words: "Let their spotless integrity, useful industry and sincere piety be remembered and imitated by their descendants."

Lexington, Va., May, 1901.

SWORD OF WASHINGTON AND STAFF OF FRANKLIN.

We give below the proceedings of the House of Representatives on the presentation of "The Sword of Washington and Staff of Franklin," February 7, 1843, with the presentation speech of Hon. Geo. W. Summers, the remarks of Hon. J. Q. Adams and of Senator Archer, of Virginia, a letter from Mr. Samuel T. Washington and one from Mr. Geo. C. Washington:

PROCEEDINGS.

In the House of Representatives of the United States.

Washington, February 7, 1843.

Mr. Summers, one of the Representatives from the State of Virginia, rose and addressed the House as follows:

Mr. Speaker: I rise for the purpose of discharging an office not connected with the ordinary business of a legislative assembly. Yet, in asking permission to interrupt, for a moment, the regular order of parliamentary proceedings, I cannot doubt that the proposition which I have to sumbit will prove as gratifying as it may be unusual.

Mr. Samuel T. Washington, a citizen of Kanawha county, in the Commonwealth of Virginia, and one of my constituents, has honored me with the commission of presenting, in his name and on his behalf, to the Congress of the United States, and through that body to the People of the United States, two most interesting and valuable relics connected

with the past history of our country, and with men whose achievements, both in the field and in the cabinet, best illustrate and adorn our annads.

One is the sword worn by George Washington, first as a Colonel in the Colonial service of Virginia, in Forbes' campaign against the French and Indians, and afterwards during the whole period of the war of Independence as Commander-in-chief of the American army.

It is a plain couteau, or hanger, with a green hilt and silver guard. On the upper ward of the scabbard is engraven, "J. Bailey, Fish Kill." It is accompanied by a buckskin belt, which is secured by a silver buckle and clasp, whereon are engraven the letters "G. W." and the figures "1757." These are all of the plainest workmanship, but substantial, and in keeping with the man and with the times to which they belonged.

The history ofthis sword is perfectly authentic, and leaves no shadow of doubt as to its identity. The last will and testament of General Washington, bearing date on the 9th day of February, 1799, contains, among a great variety of bequests the following clause:

"To each of my nephews, William Augustine Washington, George Lewis, George Steptoe Washington, Bushrod Washington, and Samuel Washington, I give one of the swords or couteaux of which I may die possessed; and they are to choose in the order they are named. These swords are accompanied with an injunction not to unsheath them for the purpose of shedding blood, except it be for self-defence, or in defence of their country and its rgihts; and, in the latetr case :to keep them unsheathed, and prefer falling with them in their hands to the relinquishment thereof."

In the distribution of the swords hereby devised among the five nephews therein enumerated, the one now presented fell to the share of Samuel Washington, the devisee last named in the clause of the will wihch I have just read.

This gentleman, who died a few years since in the county of Kanawha, and who was the father of Samuel T. Washington, the donor, I knew well. I have often seen this sword in his possession, and received from himself the following account of the manner in which it became his property in the division made among the devisees:

He said that he knew it to have been the side-arm of General Washington during the Revolutionary war; not that used on occasions of parade and review, but the constant service sword of the great chief; that he had himself seen General Washington wear this identical sword, he presumed, for the last time, when, in 1794, he reviewed the Virginia

and Maryland forces then concentrated at Cumberland under the command of General Lee, and destined to co-operate with the Pennsylvania and New Jersey troops, then assembled at Bedford, in suppressing what has been called the "Whiskey Insurrection."

General Washington was then President of the United States, and as such was commander-in-chief of the army. It is known that it was his intention to lead the army in person upon that occasion had he found it necessary, and he went to Bedford and Cumberland prepared for that event. The condition of things did not require it, and he returned to his civil duties at Philadelphia.

Mr. Samuel Washington held the commission of a captain at that time himself, and served in that campaign, many of the incidents of which he has related to me.

He was anxious to obtain this particular sword, and preferred it to all the others, among which was the ornamented and costly present from the great Frederick.

At the time of the division among the nephews, without intimating what his preference was, he jocosely remarked, "that, inasmuch as he was the only one of them then present who had participated in military service, they ought to permit him to take choice." This suggestion was met in the same spirit in which it was made; and, the selection being awarded him, he chose this, the plainest, and, intrinsically, the least valuable of any, simply because it was the "Battle Sword."

I am also in possession of the most satisfactory evidence, furnished by Colonel George C. Washingotn, of Georgetown, the nearest male relative now living of General Washington, as to the identity of this sword. His information, as to its history, was derived from his father, William Augustine Washington, the devisee first named in the clause of the will which I have read; from his uncle, the late Judge Fushrod Washington, of the Supreme Court; and Major Lawrencec Lewis, the acting executor of General Washington's will—all of whom concurred in the statement that the true service sword was that selected by Captain Samuel Washington.

It remained in this gentleman's possession until his death, esteemed by him the most precious memento of his illustrious kinsman. It then beame the property of his son, who, animated by that patriotism which so characteriezed the "Father of His Country," has consented that such a relic ought not to be appropriated by an individual citizen, and has instructed me, his representative, to offer it to the nation, to be preserved in its public depositories as the common

property of all, since its office has been to achieve and secure the common liberty of all.

He has, in like manner, requested me to present this cane to the Congress of the United States, deeming it not unworthy the public acceptance.

This was once the property of the philosopher and patriot, Benjamin Franklin.

By a codicil to his last will and testament, we find it thus disposed of:

"My fine crab-tree walking stick, with a gold head, curiously wrought in the form of the cap of liberty, I give to my friend, and the friend of mankind, General Washington. if it were a sceptre, he has merited it, and would become it."

General Washington, in his will, devises this cane as follows:

"Item. To my brother, Charles Washington, I give and bequeath the gold-headed cane left me by Dr. Franklin in his will."

Capain Samuel Washinton was the only surviving son of Charles Washington, the devisee from whom he derived, by inheritance, this interesting memorial; and, having transmitted it to his son, Samuel T. Washington, the latter thus seeks to bestow it worthily, by associating it with the battle sword in a gift to his countrymen.

I cordially concur with Mr. Washington in the opinion that they each merit public preservation; and I obey, with pleasure, his wishes in here presenting them, in his name, to the nation.

Let the sword of the hero and the staff of the philosopher go together. Let them have place among the proudest trophies and most honored memorials of our national achievements.

Upon that staff once leaned the sage, of whom it has been said, "He snatched the lightning from heaven, and the sceptre from tyrants."

A mighty arm once wielded this sword in a righteous cause, even upon the dismemberment of empire. In the hand of Washington, this was "the sword of the Lord, and of Gideon."

It was never drawn except in the defence of public liberty; it was never sheathed until a glorious and triumphant success returned it to the scabbard, without a stain of cruelty or dishonor upon its blade; it was never surrendered except to that country which bestowed it.

Mr. Summers, having concluded his address, delivered the Sword and Staff to the Sergeant-at-arms of the House, who

bore them to the Speaker, the latter rising from his seat to receive them.

Mr. John Quincy Adams, one of the Representatives from the State of Massachusetts, then addressed the House as follows:

In presenting this resolution which I hold in my hand to the House, it may perhaps be expected that I should accompany it with some remarks suitable to the occasion; and yet, sir, I never rose to address this House under a deeper conviction of the want of words to express the emotions that I feel. It is precisely because occasions like this are adapted to produce universal sympathy that little can be said by any one, but what, in the language of the heart, in tones not loud but deep, every one present has silently said to himself. My respected friend from Virginia, by whom this offering of patriotic sentiment has been presented to the Representative Assembly of the nation, has, it seems to me, already said all that can be said suitable to this occasion. In parting from him, as, after a few short days, we must all do, it will, on my part, be sorrowing that in all probability I shall see his face and hear his voice no more. But his words of this day are planted in my memory, and will there remain till the last pulsation of my heart.

The sword of Washington! The staff of Franklin! Oh, sir, what associations are linked in adamant with those names! Washington the warrior of human freedom—Washington, whose sword, as my friend has said, was never drawn but in the cause of his country, and never sheathed when needed in his country's cause! Franklin, the philosopher of the thunderbolt, the printing press, and the ploughshare! What names are these in the scanty catalogue of the benefactors of human kind! Washingotn and Franklin! What other two men, whose lives belong to the eighteenth century of Christendom, have left a deeper impression of themselves upon the age in which they lived, and upon all after time! Washington, the warrior and legislator! In War, contending by the wager of battle for the independence of his country, and for the freedom of the human race; ever manifesting, amidst its horrors, by precept and example his reverence for the laws of Peace, and for the tenderest sympathies of humanity; in Peace, soothing the ferocious spirit of discord, among his own countrymen, into harmony and union, and giving to that very sword now presented to his country a charm more potent than that attributed in ancient times to the lyre of Orpheus. Franklin! the mechanic of his own fortune, teaching, in early youth, under the shackles of indigence, the way to wealth,

and in the shade of obscurity the path to greatness; in the maturity of manhood, disarming the thunder of its terrors, the lightning of the fatal blast and wresting from the tyrant's hand the still more afflictive sceptre of oppression; while descending into the vale of years, traversing the Atlantic Ocean, braving in the dead of winter the battle and the breeze, bearing in his hand the charter of Independence, which he had contributed to form, and tendering, from the self-created nation to the mightiest monarchs of Europe, the olive branch of peace, the mercurial wand of commerce, and the amulet of protection and safety to the man of peace, on the pathless ocean, from the inexorable cruelty and merciless rapacity of war. And, finally, in the last stage of life, with four score winters upon his head, under the torture of an incurable disease, returning to his native land, closing his days as the Chief Magistrate of his adopted Commonwealth, after contributing by his counsels, under the Presidency of Washington, and recording his name, under the sanction of devout prayer invoked by him to God, to that Constitution under the authority of which we are here assembled, as the Representatives of the North American people, to receive, in their name and for them, these venerable relics of the wise, the valiant, and the good founders of our great confederated Republic—these sacred symbols of our golden age.

May they be deposited among the archives of our Government! and may every American who shall hereafter behold them ejaculate a mingled offering of praise to that Supreme Ruler of the Universe by whose tender mercies our Union has been hitherto preserved through all the vicissitudes and revolutions of this turbulent world, and of prayer for the continuance of these blessings, by the dispensations of his Providence, to our beloved country, from age to age, till Time shall be no more!

The resolution moved by Mr. Adams is as follows:

"Resolved by the Senate and House of Representatives of the United States in Congress assembled, That the thanks of this Congress be presented to Samuel T. Washingotn, of Kanawha county, Virginia, for the present of the sword used by his illustrious relative, George Washingon, in the miliatry career of his early youth in the seven years' war and throughout the war of the National Independence, and of the staff bequeathed by the patriot, statesman, and sage, Benjamin Franklin, to the same leader of the armies of Freedom in the Revolutionary War, George Washington.

That these precious relics are hereby accepted in the name of the nation; that they be deposited for safe keeping in the Department of State of the United States, and that a copy of these resolutions, signed by the President of the Senate and the Speaker of the House of Representatives, be transmitted to the said Samuel T. Washington."

The said resolution was read and the question was put, Shall it pass?

And passed in the affirmative, unanimously.

It was then, on motion of Mr. Taliaferro,

Ordered, That the addresses of Mr. Summers and Mr. Adams be entered on the Journal; that the resolution be taken to the Senate by the Clerk, accompanied by the sword and staff, with a request that the Senate will concur in the said resolution.

The House then adjourned until to-morrow.

The following are the letters referred to in the address of Mr. Summers:

Coal's Mouth, Kanawha County, Va., January 9, 1843.

My Dear Sir: With this you will receive the war sword of my grand uncle, General George Washington, and the gold-headed cane bequeathed to him by Dr. Benjamin Franklin.

These interesting relics I wish to be presented, through you, my dear sir, to the Congress of the United States, on behalf of the nation.

Congress can dispose of them in such manner as shall seem most oppropriate, and best calculated to keep in memory the character and services of those two illustrious founders of our republic.

I am, with esteem, yours,

SAMUEL T. WASHINGTON.

Hon. George W. Summers, House of Representatives.

Georgetown, January 31, 1843.

Dear Sir: I have before me your letter of the 30th instant, requesting me to give you any information in my pos-

session in relation to the sword placed in your hands by Mr. Samuel T. Washington, (alleged to have been the service sword of General Washington during the Revolutionary War,) and which he has instructed you, in his name, to present to the Congress of the United States.

General Washington, by his will, made disposition of his swords in the following words: "To each of my nephews, William Augustine Washington, George Lewis, George Steptoe Washington, Bushrod Washington, and Samuel Washington, I give one of the swords, or couteaux, of which I may die possessed; and they are to choose in the order they are named. These words are accompanied with an injunction not to unsheath them for the purpose of shedding blood, except it be for self-defence, or in defence of their country and its rights; and in the latter case to keep them unsheathed, and prefer falling with them in their hands to the relinquishment thereof."

Two of these swords are in my possession, being devised to me, the one by my father, William Bushrod Washington, and the other by my uncle, the late Judge Bushrod Washington. The descendants of George Lewis and George Steptoe Washington have two other of these swords, and that in your charge is without doubt the one which was selected by Colonel Samuel Washington.

My father was entitled to the first choice under the will, but was prevented by indisposition from attending at Mount Vernon when the distribution took place, and Judge Washington selected for him the most finished and costly sword, with which associations were connected highly complimentary to General Washington; but I often heard my father say that he would have preferred the sword selected by Colonel Samuel Washington, from the fact that it was used by the General during the revolutionary war. I have at different times heard similar statements to this fact made by Colonel Samuel Washington, Judge Washington and Major Lawrence Lewis, and am not aware that it has been questioned by any member of the family. The sword was represented to me as being a couteau, with a plain green ivory handle.

I entertain no doubt whatever as to the identity of this sword, and hope that the information I have given may prove satisfactory.

I am, very respectfully, your obedient servant,

G. C. WASHINGTON.

Hon. George W. Summers, House of Representatives.

APPENDIX.

(At the request of gentlemen, the proceedings in the Senate on this subject are here appended.)

In Senate of the United States,

February 8, 1843.

A message from the House of Representatives, by Mr. Clarke, their Clerk:

Mr. President: The House of Representatives have passed a resolution presenting the thanks of Congress to Samuel T. Washington, for the service sword of George Washington and the staff of Benjamin Franklin; in which they request the concurrence of the Senate. The sword and staff accompany the resolution.

The Senate proceeded, bp unanimous consent, to consider the resolution, when

Mr. Archer rose, and said that, as the grounds of a proceeding sent from the other House of Congress to this, for concurrence, could not be assumed to be known necessarily, and the resolution before the Senate imparted a distinguished compliment to a native of his own State, he had been advised, and had yielded to the admonition, that a few words from one of the Senators of Virginia might be regarded as not inappropriate, and perhaps be expected, in explanation of the resolution. It was known to every member of the Senate that General Washington, by his will, had bequeathed swords to five of his nephews. One of these swords, plain and the least valuable according to ordinary estimates of value the gentleman to whom the first choice has been permitted had had the just taste to prefer, as that which his glorious ancestor had invariably worn, in real service, from the period of early life, when he had, in the cause of his country, then in a colonial condition, first commended himself to honor, and through the entire progress of that great conflict which had resulted in the establishment of our liberties and of his immortal renown. There was not room for a question that the weapon which had just been laid on the table of the President was the identical one to which these interesting associations attached. It might have been proper for him to have stated the evidences of this fact, but the task had already been discharged by his colleague and friend in the other house, who had yesterday, in fulfilling the office of presenting these relics to the nation, added another wreath

to the honor of being selected for the function, by the chaste, appropriate, and beautiful address—in entire keeping with the simplicity of the memorial and of the character of its illustrious proprietor—with which he had gratified that body.

There might be persons, Mr. Archer said, disposed to regard the reception of memorials so slight as a sword and a cane as not in keeping with the dignity of a Senatorial body. If such there were, he (Mr. A.) was not to be included in the number of them. The disposition he indulged was widely different. Nor was such the thought of our great precursors in the love and maintenance of liberty in the ancient Republics. They had the practice, and regarded it as inestimable, of erecting statues to great departed worth. And why? Could the reason be any other but the effect to keep alive the principle of generous virtue, by presenting and keeping perpetually before the eyes the symbols of its authors?

Mr. Archer said that, for his own part, he thought that slighter memorials than statues and mausoleums were far more conducive to this effect, where they had appertained to the common use—being connected with the offices of service—shed a light on the peculiarities of temper or habitude or achievement of the persons to which they related. If this remark were just, how applicable, above all others, to Washington, and this symbol, his sword, the type in its simplicity of his character in its office of his achievements! Washington! the only name requiring no eulogy, for the name itself comprehended all eulogy. It had been said by one of the most eminent public men of the age, himself the subject of a Monarchy (Lord Brougham), that "of uninspired men Washington was to be esteemed incomparably the greatest." Nor was this to be regarded as exaggerated praise, when it was recollected that greatness was to be measured, not by virtue only, but a combined consideration of its effects; and this same consideration proved that no man great as Washington could perhaps now live. Men, not the inferiors of Washington in virtue and in wisdom, might come into existence, but to the fullest development of grandeur of character, circumstances must conspire, and form no unimportant part; and no man could again be placed in circumstances such as marked the situation of Washington. Many men, it was to be hoped, were destined, in that progress of free institutions which marked the character of the age, to be founders of liberty for their own countries and times; but what was the peculiarity of the position and office of Washington? He was probably appointed by the ordination of Providence to prove the founder of liberty for the human race in all times. From the germ which he had planted promised to spread the

influence which was destined, it might be hoped, to gather nation after nation under its shadow, and to yield the life-sustaining fruit to all nations in succession.

And Franklin, whose name was associated with Washington's in the presentation of these relics! How curious the coincidence that they should have been associated by such symbols! Franklin, second only to Washington as one of the founders of our Republic, in science a founder greater still! Recent developments made it not improbable that the power of which Franklin had been the first to bring us acquainted with its laws, was the one the most efficicent and diffused through the entire processes of physical nature; the thorough knowledge of which was to produce results the most imposing and most important which had ever been unlocked to human vision! These were the men associated with the relics now presented to us, and which, as emblems, these relics were appropriate to recall to memory whenever they were viewed; to inspire admiration of the wisdom they had displayed, gratitude for the benefits they had rendered, veneration for the virtue which had adorned them! We had been accustomed to call these illustrious men ours. But the time would come when they would equally be exalted as benefactors of human kind, as they had been ours, and their fame the property of their whole race.

Dr. Franklin, in the bequest of the cane to General Washington, which was now exhibited to us, had said that "he gave it to his friend, and the friend of mankind, who, had it been a sceptre, would have deserved it." And the sceptre that friend has attained which he deserved. It had been an expression, in the ceremonial offices which occurred on the death of Washington, that he was throned in the hearts of his countrymen. The expression fell far short of the full extent of his destiny. It was to be throned in the homage—in the admiration—no! these did not convey the just phrase—in the boundless veneration of mankind!

Mr. Archer said he would no longer be the impediment to the expression of the acclaiming sentiment whech he knew beat in the bosom of every Senator, to respond, even by the tribute of this humble resolution, to the great titles of Washington and Franklin to our affection, gratitude, and reverence.

Mr. Archer having concluded, the question was put, and it was

Resolved, unanimously, That the Senate concur in the resolution.

On motion of Mr. Archer, the Senate then adjourned.

A BRIEF SKETCH OF THE LATE COL. ANDREW DONNALLY.

BY MRS. MIRIAM WELCH DONNALLY.

Col. Andrew Donnally was born in the north of Ireland, and came to this country about the middle of the eighteenth century. He evidently came over with that tide of Scotch-Irish emigration that peopled the Valley of Virginia about that period. On September 10th, 1776, he married Jane McCreary, in Augusta county. The McCreary men, John and James, were engeged in the Indian wars as early as 1754, and were afterwards officers in the Revolution.

Col. Donnally held the office of High Sheriff and County Lieutenant, or Military Commander of Bottetourt County, in 1775. He may have been one of the officers of that county at its formation in 1770. The fort called Donnally's was built in 1771, in what was then Bottertourt County. Col. James Stewart built Fort Spring, Captain Jarrett the Wolf Creek or Jarrett's Fort—all in the country of the Greenbrier. The office of County Lieutenant or Military Commander was a very important one at that day. It was an office borrowed from the Mother Country, where it was usually held by a person of rank. The officer was also styled Colonel. He was the person to communicate with the Governor and the Secretary of the Colony, commanded the militia and presided at the County Courts. He was appointed by the Governor,, with the advice of the Council, and was generally the most prominent citizen. The office was held during good behavior.

He was made County Lieutenant or Commander in Chief of Greenbrier County, and continued in that position under Patrick Henry and also Thomas Jefferson, the two first Governors of Virginia.

From a paper possessed in the family it seems the race for office in that day, as well as this, called for much bitterness of feeling. From the names that appear it is evident that the Scotch-Irish settlers could not believe the name Donnally could exist without an "O" prefixed, or belong to other than a Papist. This Covenanter stock were as intolerant as the Pilgrim Fathers, and could see no good in a belief other than their own. The Graceless Zealots of Pope's day were reflected in these sturdy settlers of brawn and brain and would still fight over their modes of faith. (Below

is a copy of a paper—the original of which is yellow with age—and is as interesting as amusing:)

"Wheras, We, Joseph McClung and Samuel McClung, having heard by sundry unadvised persons, that Mr. Andrew Donually was a Papist and that he had changed his name by omitting an O, which should have been prefixed to his Sirname, and whereas, we have unadvisedly published the same, and also in an Advertisement which he set up in March, 1775, to warn the inhabitants of Greenbrier to give in a list of their titheables, did prefix the said O to his Sirname; and, as we have since by unquestionable evidence been convinced that there is no just foundation for the same, we hereby acknowledge ourselves heartily sorry for the same; and in witness whereof, have subscribed this, and allow the same to be transmitted to Record.

Given under our hands and seals this fourth day of March, 1776.

Signed and acknowledged by us:

William Hamilton.	Joseph McClung, (Seal)
Wm. McClemchan.	Samuel McClung, (Seal)
Sam'l Hugart.	
Richard May.	

It is said that the presence of the letter A in second sylable of Donually is an evidence of Protestantism, at least this is the current story handed down in the family. How true it is, I cannot say. The prosperous Catholics of that name have an "E" instead of "A."

There is also a story current in the family that Col. Donually was with Washington in the terrible winters of 1776 and 1777. The hardships and the awful suffering of that campaign have been given in detail by a member of the family. There is no further evidence of his being again with the Continental Army.

About this period there was a general uprising of the Indians on the Western Frontier, and his duties as County Commander called him to the Fort. The people were being continually killed, harrassed and robbed. It became necessary to have constant military protection. These Frontier Forts and the Commanders' homes were generally in the same enclosure. In times of threatened attack it was a general rendezvous for all the women and children of the neighborhood, while the men were out performing military duty. In the Spring of 1778 two attempts had been made by the Indians to surprise and capture Fort Randolph at Point Pleasant; failing in each effort they were exasperated to the last degree. They were burning to avenge the treach-

erous murder of their Great Chief Cornstalk, and now determined to gratify their demoniacal hatred, they started for the Greenbrier settlement. In the absence of Captain Arbuckle, Capt. McKee, of Fort Randolph, called for volunteers to undertake the hazardous journey through the wilderness to acquaint the people of the threatened danger. John Pryor and Philip Hammond said they would risk their lives to save the people of Greenbrier.

There lived in Fort Randolph at this time, the sister of Cornstalk, an aunt to Ellinipsico, who remained friendly to the whites and also acted as interpreter. She painted and disguised these men as Indians, who then started their journey, fraught with so much danger and exposure. These men traveled night and day and passed the Indians at Meadow Creek, arrived at Donnally's Fort twenty miles further on, just at sunset. It may be well to say here that Col. Donnally had been a personal friend of Cornstalk, and always considered his death an inexcusable act of cowardice and treachery. This sister of Cornstalk, no doubt knowing of the friendship of the two men, determined to save the life of Col. Donnally if possible. While in her savage breast, she may have longed to avenge the death of her renowned brother, the Sachem Chief, the noble instincts of her womanhood prevailed. She did what she could to save the Pale Face, and with her deft fingers dressed those scouts and painted their faces, and completed their disguise so effectually that their noble self-sacrifice and personal bravery was rewarded.

Col. Donnally was not at home when Hammond and Pryor reached there. The night was far on when he reached his stable. Hearing strange noises and sounds, he discovered the Indians were secreted about the building. The advance guard were on the ground. He hastened to his house, and found that Hammond and Pryor were there and had given warning. A graphic account of this siege has been handed down in the family by those present. Most conspicuous among the family was Catherine, the daughter, then a young girl about twelve. That night was spent in filling a hogshead with water in order to save the inmates the miseries of a water famine. Katie also helped mold the pewter plate and spoons into bullets and poured hot water through the puncheons on the devoted heads of the savages.

There was one incident of the bloody siege that made a lasting impression on her tender heart. It was the horrible wounds and sufferings of an Indian lad of sixteen, who, as he lay just outside the stockade, could be heard constantly saying, "Why did you make me come. I did not want to fight the pale faces." Catherine grew to womanhood, mar-

ried Captain John Wilson, of the Militia in the war of 1812, and son of Captain John Wilson, of the Revolution. She is numerously represented in this Valley by large and prosperous families.

Dr. John P. Hale, in his history of this battle, says this invasion of the Indians had been projected for some time before it was actually made. An Indian by the name of John Hollis had visited the different settlements; took particular pains to examine the various forts where he visited as a friend. He was recognized among the assailants; was left among the dead in the yard of the fort, a fitting punishment for his treachery.

Captain John Hamilton, with seventy men, pursued the Indians for two days without gaining on them. He then abandoned the chase and returned home.

The brave and noble John Pryor and Philip Hammond deserve mention here.

In 1780 a party of twenty Indian warriors made a raid on the Greenbrier Settlement. They met John Pryor moving with his family to the South side of the Kanawha. Pryor was severely wounded, but was able to walk to the settlements and give warning; he died that night. His wife and children were taken prisoners and never heard of again. It is not known what became of Hammond. These poor fellows deserved a better fate.

Withers, in "Border Warfare," and also "Hardesty," mention this as the last raid of the Indians to the Greenbrier.

The reader, should he refer to a letter from Col. Donnally dated March 27, 1781, will see where a small body of Indian warriors came into the country and carried off prisoners and plunder, but were overtaken by the militia and the prisoners released. This was evidently the last raid and one year later than is generally known. It is rather a difficult matter at this day to realize the enormous size of Greenbrier County at the time of formation in 1777. All of the county west of Augusta on the north side of the Kanawha river, extending westward to the Ohio river, was called Greenbrier. The country south of Kanawha river was Montgomery.

The responsibilities of Col. Donnally's position were very great, and the work heavy. He felt personally accountable for the lives of the people in the wilds of the Greenbrier, Meadow Creek and Kanawha rivers and their tributaries. The duties of his office called him constantly from home, but it seems that he was ever at hand when emergencies arose. That he was a man of great executive ability, history proves. Stories of his personal courage and great

physical strength are too well known to admit of a doubt, and his racy repartees became proverbial. These splendid characteristics were ever in use and necessary to this man of affairs with so much to do. He had only 550 men in the militia at his disposal, for the defense of this Western frontier. Governor Jefferson was now asking for some of these men to be sent to Gen. Geo. Rogers Clarks to aid in his expedition against his Indians of the West. The Assembly also required of him more men for the Continental Army. While he was willing to do all in his power, he feared the drain would be too great, and the force left would be inadaquate to meet emergencies. The Indians were increasing in number and ferocity. The implacable hate caused by the murder of Cornstalk aroused them to horrible methods, and their avenging gods were leading them to satiety. Man for man was their creed. The innocent settlers must pay the penalty for the rash act of a few thoughtless men. The public credit was at so low an ebb that no one would advance money. Ammunition was scarce. The militia must depend upon the Corn tax levied on the settlers. Yet these brave men struggled and fought on for their country. Is it a wonder these Spartan like people won their homes and liberty? How great a contrast to the comfortable conditions generally prevailing in the last war!

Col. Donnally resigned his Commission as Military Commander on September 19, 1781. It was not accepted evidently, as he writes officially to Governor Patrick in 1785.

Lewisburg was established as a town in 1782. Col. Donnally was one of the trustees; also Samuel Lewis, James Reed, Samuel Brown, John Stewart, Arthur Matthews, William Ward and Thomas Edgar.

The beautiful valley of the Kanawha was attracting wide attention and many were coming in with their families at this period. It was unsafe as a permanent residence as the people had no military protection, and the garrison had been withdrawn from Fort Randolph at the mouth of the river.

Col. Donnally did not come to reside on the Kanawha until after the battle at Fort Donnally. He went directly to the mouth of the river and lived just above the present town of Point Pleasant for a year or more. An incident occurred while he was there that showed how he felt over the murder of Indian Chief Cornstalk.

All his neighbors had gathered at his farm for a corn-shucking, which was an occasion of general good fellowship. Among those present was Col. Donnally's servant, the negro Lot, who overheard one man say he had fired the shot that sent Cornstalk to his death. Lot went to the house, told his master what this man had said. Col. Donnally went to the

person who told him the same story. The Coloney said, "Such a coward deserved killing." He forthwith picked up a stanchion that was lying near, dealt the rascal such a blow that he did not recover his senses for days. He was glad to leave those parts and was never more heard of. Lot outlived his old master, and told the story to one of Col. Donnally's grandsons, who in turn told it to me. Lot was the father of Morris Watson whose descendants reside on the property given to his father by his old master.

Col. Donnally owned many negroes of unusual ability and faithfulness. Dick Pointer had already distinguished himself atthe fight of Donnally's Fort in 1778. A son of Dick's was in an engagement against the Indians in 1790, in which several were killed and wounded. This negro was taken prisoner, became identified with the Indians and was chosen their chief. In the war with Great Britain, in 1812, he sided with the Americans against the enemy.

Col. Donnally lived a short time at the mouth of Elk, after leaving Point Pleasant. Kanawha county was formed in 1789, and he was chosen the first representative. Dr. John P. Hale humorously says that Col. Donnally was elected by an overwhelming majority; the polls were open for three days and thirteen votes were cast. He again served his county as representative in 1803.

From the mouth of Elk Col. Donnally moved to his permanent home about five miles above Charleston, on the south side of the Kanawha, where he lived in comfort and prosperity for many years. He died about 1825.

He had one brother, whose descendants reside in New Jersey and Ohio. In these Donnallys very striking characteristics and family traits are just the same, and the identical traditions exist.

Of his own immediate family he had several daughters, who are represented by the Slaughters, Hendersons and Wilsons, now living here and elsewhere, and are prominently married and represented in different professions and trades.

His son, Andrew Donnally, was born in the Fort; he married Marjory, the daughter of Captain John Van Bibber, in 1802. They continued to reside in the old homestead for nearly half a century, and added largely in property and slaves to the inherited patrimony. Andrew Donnally, Jr., had six sons arrive to maturity, all of whom married into prominent old families of the valley, and all were engaged conspicuously in business interests. His daughters married respectively, Henry Fry, great-great-grandson of Col. Joshua Fry, who commanded the Colonial Army in 1754, and who had been prominent in Virginia history for thirty years

or more, and Col. John Lewis, grandson of Gen. Andrew Lewis, the Indian fighter and Colonial, and also Revolutionary officer of renown, with whom every student of Virginia history is acquainted.

There has scarcely been a period in the last century that this State, county or town, were not represented by one of Col. Donnally's descendants, either directly or indirectly through marriage.

Of his recent descendants the peerless John E. Kenna has been most conspicuous, whose great qualities of heart and mind were unequalled, and who charmed all those who came within his magnetic influence. The indirect representatives consist of the Hon. Charles Philip Snyder, who married Jane Goshorn, great-great-granddaughter of Col. Donnally, who ably represents his country as consul to Mexico; who has been Congressman three terms, Judge of the Criminal Court, and also Municipal officer. Another is the Hon. Joseph H. Gaines, who married Marjory Lewis Gentry, another great-great-granddaughter, who is our distinguished Representative in Washington.

I am indebted to Dr. John P. Hale, Trans-Allegheny Pioneers, for much information; "To Howes History," "The Callendar of Virginia State Papers," and to family history and reminiscences. I may add here that the renowned Daniel Boone was neighbor for years to Col. Donnally, residing on his place to the time he left for Spanish Missouri in 1799. Daniel's son, Jesse Boone, who was Col. Donnally's brother-in-law, resided in his father's home until 1816, when he also went West, where his family became very prominent.

Col. John Stewart's history of the fight at Donnally's Fort will be found full of interest, and Col. Donnally's letters are of great historic value, showing the condition of the western border at that time. There is much that might be written of Andrew Donnally, Jr., who was Colonel of the Militia in the war of 1812, and who occupied a prominent position as Rejrepresentative many terms. He was twice High Sheriff, Clerk of the Courts, and Magistrate, and was generally a very prominent man in his day. He died in 1849. Something will be said of him in an artically to appear later on.

ATTACK ON DONNALLY'S FORT.

[*Howe's History of Virginia, pages 287–288]

In 1778 an attack was made by about 200 Indians upon Donnally's Fort. This fort stood about 100 yards east of the

present residence of Mr. Anthony Rader's run, 10 miles west of Lewisburg. It was a double log house, with a chimney in the center, and was surrounded by a stockade of split logs. The house was destroyed about the year 1825, at which time many bullets were found in the timber. Dick Pointer, the old negro, who acted so gallantly in its defence, died only a few years since. His master gave him his freedom in reward for his services. He was buried with the honors of war. The account of the attack on Donall's Fort is here given from memoir of Col. John Stuart:

"Intelligence having been conveyed to Col. Donnally of the approach of the Indians, he lost no time to collect all his nearest neighbors that night and sent a servant to my house to inform me. Before day about twenty men, including Hammond and Pryor, were collected at Donnally's, and they had the advantage of a stockade fort around and adjoining the house. There was a number of women and children, making in all about sixty persons in the house. On the next day they kept a good look-out, in momentary expectation of the enemy.

"Col. Samuel Lewis was at my house when Donnally's servant came with the intelligence and we lost no time in alarming the people, and to collect as many men for defence as we could get at Camp Union all the next day. But all were busy, some flying with their families to nearest settlements, and others securing their property, so that in the course of the day we had not collected near one hundred men. On the following day we sent out two scouts to Donnally's very early in the morning, who soon returned with the intelligence that the fort was attacked. The scouts got within one mile and heard the guns firing briskly. We determined to give all the aid we could to the besieged, and every man who was willing to go was paraded. They amounted to sixty-eight in all, including Colonel Lewis, Captain Arbuckle and myself. We drew near Donnally's house about 2 o'clock p.m., but heard no firing. For the sake of expidition we had left the road for a nearer way, which led to the back side of the hoise, and thus escaped falling into an ambuscade, placed on the road some distance from the house, which might have been fatal to us, being greatly inferior to the enemy in numbers. We soon discovered Indians behind trees in a rye field, looking earnestly at the house. Charles Gatliff and I fired upon them and we saw others in the rye near, where they stood. We all ran directly to the fort. The people, on hearing guns at the back side of the house, supposed it was another party of Indians, and all were at the port-holes ready to fire upon us; but some one, discovering that we were their

friends, opened the gate and we all got in safe. One man only was shot through his clothes.

"When we got into the Fort we found there were only four men killed. Two of them were coming to the Fort, fell into the midst of the Indians, and were killed. A servant of Donnally's was killed early in the morning on the first attack, and one man was killed in a bastion in the Fort. The Indians had commenced their attack about daylight in the morning, when the people were all in bed, except Philip Hammond and an old negro. The house formed one part of the Fort and was double, the kitchen making one end of the house, and there Hammond and the negro were. A hoghhead of water was placed against the door. The enemy had laid down their guns at a stable, about fifty yards from the house, and made their attacks with tomahawks and war clubs. Hammond and the negro held the door until they were spliting it with their tomahawks; they suddenly let the door open and Hammond killed the Indian on the threshhold who was splitting the door. The negro had a musket loaded with swan-shot, and was jumping about the floor, asking Hammond where he should shoot? Hammond bade him fire away among them, for the yard was crowded as thick as they could stand. Dick fired away, and, I believe, with good effect, for a war club lay in the yard with a swan-shot in it. Dick is now upwards of eighty years old.

"The firing of Hammond and Dick wakened the people in the other end of the house, and upstairs, where the chief of the men were lying. They soon fired out of the windows so briskly on the Indians that when we got to the Fort seventeen of them lay dead in the yard. One of them was a boy aboue sixteen years years old. His body was so torn by bullets that a man migh have run his arm through him, yet he lived almost all day and made a most lamentable cry. The Indians called to him to go into the house. After dark a fellow drew near to the Fort and called out in English that he wanted to make peace. We invited him in to consult on the terms, but he declined our civility. They departed that night after dragging eight of their slain out of the yard; but we never found where they buried them. They visited Greenbrier but twice afterwards, and then in very small parties, one of which killed a man and his wife, of the name of Munday, and wounded Captain Samuel McClung. The last person killed was Thomas Griffith; his son was taken, but going down the Kanawha they were pursued. One of the Indians was killed and the boy was returned, which ended our wars with the Indians, in 1780."

January 29th, 1781. Greenbrier Co.

Andrew Donnally, Sam'l Brown and Andrew Hamilton to Governor Jefferson.

Sir—A letter from your excellency of the 24th of December, directing that 137 men of the Militia of this county should forthwith be raised and sent to the county of Kentucky to Join Col. Clarke and serve under him this ensuing summer on an expedition against the Indians, in consequence of which we have given orders to draft that number, together with proper officers to command them, amounting to 146 effective men. So large a number out of a militia scarcely 550 strong, lying in a county exposed to the daily inroads of the Indians, fill us with such uneasiness about the danger we are like to suffer from this weakening of our militia, especially at a time when we cannot expect to be re-enforced from any of the interior counties, should any such danger arise; how much more, then, must our apprehensions of danger increase when we find that by an act of Assembly we are to furnish 34 men more for the Continental Army. It is with the utmost reluctance we address ourselves to your excellency on this occasion (at a time when the necessities of the State require the utmost exertion of its numbers in its defence) to request that you will prolong the term in which we are to furnish said recruits, 'til the return of our Militia from Col. Clarke, or at least 'til sich time as they have got into the Indian country, and may have drawn their attention to his operations. Assure yousself, sir, we would not have made this request, but in the consequence of the entreaties of the inhabitants here and the imminent danger to which we think these frontiers will be exposed, by drawing away the Militia. We shall continue to use all means to have the Militia ready as soon as possible should you think it improper to grant our request.

We are, sir, your most obedient

H'b'le Servants.

Greenbrier Co., March 27th, 1781

Col. Andrew Donnally to Governor Jefferson.)

On the 3d inst. a party of Indians came to the house of Wm. Weeks, living at the mouth of Indian Creek, which empties into New River, in this county, and took him and his family prisoners and burnt his house and corn. A party of men belonging to Capt. Woods' Company happened to be rendezvoued in the neighborhood in order to march to join the troops who are to serve under General Clarke. These,

with some of the neighbors, pursued the Indians, and after a continued march of nearly fifty miles came upon them, killed one Indian and wounded several and recovered all the prisoners and plunder. By the prisoners we learn there were eight Indians and two French Canadians in their party, and said there was a party of 12 men who were to join them at the place where our men providentially defeated them. Capt. Wood, who commanded our party, deserves all due praise for his spirited behavior and activity on this occasion, and I cannot forbear remarking that had it not been that these men happened to be so critically embodied at this juncture that in all probability these unhappey people would have been carried into captivity by these merciless savages. As it happened when I was absent, Lieut. Col. Brown and so many of the Militia as could be spared to defend those stations most exposed, and I have since continued them. This I thought myself authorized to do by your excellency's letter of the 4th of November last.

This naturally leads me to request your instructions as to the victualling them. The delay which happened in paying off the expenses incurred in this county last year has been so great, and the depreciation of our money so rapid that no one will freely credit the public for provisions or other necessaries. There is considerable corn in this county, paid by the inhabitants in discharge of the tax on enumerated commodities. I should be glad to know if you think it proper to employ it in this way—and if so only remit such a sum as you may judge it necessary to purchase beef and other necessaries. Without such remittance I am persuaded they cannot be procured. That part of our Militia which, in obedience to your excellency's orders were to be sent to Gen'l Clark, have gone with much alacrity, but I fear the many delays which retard them from this place of rendezvous will damp this order. We are evtremely scarce of lead in this county and often obliged to buy it at a high price. I would be glad if a warrant to draw 500 pounds from the lead mines, which shall be used with the greatest frugality, as none has hitherto been drawn from thence for the use of this county—make me hope that the quantity now required will not be thought extraordinary. As I am but lately returned home, I could not have earlier informed your evcellency of the state of affairs in these parts.

I am, Sir, your excellency's

Ob't Servant.

Sept. 19th, 1781, Greenbrier Co.

To His Excellency, the Governor of the Hon'ble Council of Virginia.

The petition of sundry inhabitants of the county of Green Brier, humbly showeth:

That during the time a Garrison was maintained at Fort Randolph, your petitioners, emboldened by the protection thereof, had taken up and settled themselves on sundry plantations on the Great Kanawha, above the said station; which on the withdrawing of the troops stationed at Fort Randolph aforesaid, they were thro' fear of the Indians obliged to abandon and leave desolate, to the great loss and detriment of your petitioners and to the no less prejudice of the inhabitants of this county in general, as they thereby lost a barrier, which in a great measure covered their frontiers, under the difficulties and hardships have we lain for these three years past, heping that a peace might come by which we would be permitted to return to our habitations with safety. But the much desired blessing not having arrived, and worn out with the hardships we sustain, your petitioners humbly beg leave to inform your excellency and the Honorable Council, that they are determined to return to their aforesaid habitations and propose in the first place to erect a station on the mouth of Elk River for the protection of themselves and families and only request of Government that a lieutenant and 30 men of the Militia of Green Brier County may be stationed there for our assistance. The benefits which would accrue to this county in having such a station there are so obvious, that they need not be mentioned. The finding provisions for them will occasion no such difficulties as formerly, as the tax grain annually paid by the inhabitants here may be applied to their support. As some of the Hon'ble Council are intimately acquainted with the stuation of the place we propose to erect a station at, and the advantages which would result to the county therefrom, so we purposely omit mentioning of them and our petition into consideration and we, as in duty bound, shall ever pray—

Andrew Donnally,
John Van Bibber,
Peter Van Bibber,
Leonard Morris,
Samuel McClung
and others.

July 28th, 1785. Greenbrier Co.

Andrew Donnally to Gov. P. Henry.

Sir—By Capt. Graham ,who lately came from the Indian towns, I am informed that there is now resident amongst them certain white men who omit no opportunity of irritating

the Indians against us, refers to one "Higgins," who had been a trader at Detroit, early in the late war, and had been compelled to join the British against his wishes, had deserted from them, but having been captured by the hostile Indians was reduced to great suffering and privation, after the war being regarded with suspicion by all parties he went to reside with Shawnese, where he had omitted no opportunity of rendering service to people captives amongst them. He has had great influence with the Indians, and being anxious to do a service to the county, "He proposes that if the Commission be sent him to authorize his proceedings, he will undertake at his own hazard, to bring in those white men who endeavor to promote enmity between us, particularly the Girties, whose implacable malice is notorious." I have laid before your excellency the proposals of this man as represented to me by Capt. Graham. * * * This matter has been also strongly recommended by Col. Thos. Lewis, at Point Pleasant, of whose unfortunate death you will receive account. I am, Sir, Your Excellency's Most Ob't Servant, &c., &c.

HENRY McWHORTER.

BY L. V. McWHORTER, ESQ., HIS GREAT GREAT GRANDSON.

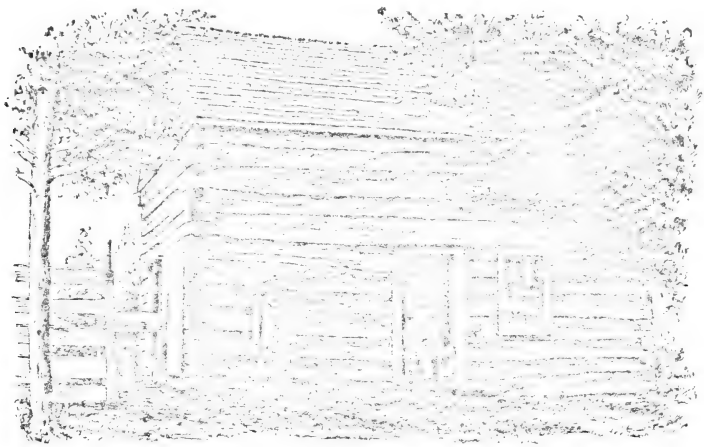
Among the early pioneers who found their way into Northwestern Virginia after the close of the war of 1776 was Henry McWhorter. He was born in Orange County, New York, November 13th, 1760. His father, a linen-weaver by trade, hailed from Northern Ireland and settled in New York after the close of the French and Indian war.

Henry was one of four brothers, all famous in their country for their wonderful physical strength. Henry was a square-built, broad-shouldered, heavy-set man, weighing about 175 pounds, of tireless energy and remarkable endurance. He had blue eyes, fair complexion, light hair, a Roman nose and a sanguine temperament, but complete self-control.

At the age of 16 he enlisted in the Patriot Army of the Revolution. The records of the Pension Department at Washington show that as a Revolutionary soldier he applied for a pension on the 4th of September, 1832, and was awarded

a pension for twenyt-two months actual service. A part of the time he served under Capt. Parsons and Col. Nichols.

Early in life he married a Miss Fields, and soon afterwards, with her and one or two children, sought a home in the wilds of Northwestern Virginia, settling on McKensies Run, a branch of Hackers Creek, in Harrison county, in 1784. Here he erected his cabin and cleared land, but three years later moved to near West's Fort, where "Jane Lew" now stands, and on the south bank of the murkey Hackers Creek, within a few hundred yards east of West's Fort, buit a house of hewn logs, where he resided for 37 years. This house, of which a cut is here given* is 18½ feet by 24 feet, of most sub-



stantial construction, of pioneer characetristics, with fireplace 6 feet 10 inches wide and 3 feet 6 inches high.

There are two ground rooms and one room overhead, built into the roof. This building is still in a splendid state of prestrvation, and it is to be hoped it will be preserved in its present original condition. It is the oldest house in the historic Hackers Creek Valley, if not in Central West Virginia.

After settling here McWhorter experienced many privations from Indian warfare, and underwent all the horrors and hardspis of pioneer life upon the border. Not being warlike, but rather of a peaceful nature, we have no account of his engaging in any forrays against the rightful owners of the

*Photographed by Prof. G. F. Queen, 1894, with Mr. Ned J. Jackson, "a noted 49-er," who then owned it, sitting in the count of the Settlements of Scotch Highlanders in America," 1900, by J. P. McLean, Ph.D.

soil. His entire life was devoted to peaceful pursuits, and to advancing and bettering the condition of the settlers around him.

Being a millwright by trade he erected near his residence, on the banks of the creek, the first mill in what are now Lewis and Upshur Counties. To this mill came the settlers from a radius of many miles to get their corn ground, and to this mill came the settlers from the Buckhannon settlement, following the blazed path leading through the wilderness from one settlement to the other. And it is a traditional fact that no customer of his ever returned home "hungry and cold." It is still related of him that at one time the settlements were suffering from a scarcity of breadstuff, and parties came from distant settlements and offered him over $1.00 per bushel for all the corn stored in his mill, which offer he refused, giving as his reason that if he did so his neighbors wound suffer. But he kept his grain and let his neighbors have it as they wanted it, exchanging it for labor at the rate of one bushel for one day's work, and this, too, when work was worth only 25 cents per day. The virtue of such an unselfish carritice in that early day when money was an object can not be over-estimated.

He made frequent trips to Fort Pitt (now Pittsburgh) in flat boats, via the West Fork and Monongahela rivers, exchanging furs, jerked venison, &c., for ammunition and other home necessities.

On one of these trips he was accompanied by Jesse Hughes, the most noted Indian scout and fighter in Western Virginia (of whom local tradition says "he spared neither age nor sex when on an Indian killing"). It chanced that a number of small children, among whom was a little Indian boy, were playing upon the bank close to where they made a landing. McWhorter afterward, relating this story, said:

"The moment Jesse caught sight of the little Indian his face blazed with hatred. I saw the devil flash in his eyes, as, feigning great good humor, he celled out, 'Children, don't you want to take a boat ride?' Pleased with a prospective glide over the clear waters of the Monongahela, one and all came running toward the boat. Perceiving Hughes' cunning ruse to get the little Indian in his clutches, I picked up an oar and, ordering the children away, shoved the boat from the bank. When safely away I turned to Hughes and said, 'Now, Jesse, ain't you ashamed?'

"'What have I done?' he said.

"'What have you done? Why, you intended to kill that litle Indian child. I saw plainly in your eyes and in your every move and look the moment you got sight of the poor

little fellow.' 'Yes,' he said, 'the moment I got him into midstream I inteded to plunge my knife into him and throw him overboard.' When I remonstrated with him about this he said, 'Damn it, he was an Injun.'"

For sixty years Henry McWhorter was a member of the M. E. Church and fifty years of this time he was a class leader. He was conducting a class meeting at West's Fort at the moment the Indians entered the settlement for the purpose of attacking the Wagoner family.* The settlers all attended the meeting fully armed and ever ready to meet an attack from their wily foe; and had they given heed to the alarm raised by the dogs that continually barked and dashed toward a ravine in which subsequent investigation showed the Indians had concealed themselves, the Wagoner massacre might have been averted. It was supposed that the outcry among the dogs was caused by wolves, and no further attention was paid to them. McWhorter afterward helped to carry in the body of Mrs. Wagoner from the hillside near Jane Lew, where she was murdered by the Indians the next day, and he afterwards related this incident.

After a residence of 37 years he was compelled, through financial embarrassment, to sell his home and mill and to return to his former residence on McKensies Run, where he died February 4th, 1848. This farm is still owned by some of his descendants. He was buried in the McWhorter cemetery on his farm, and was the first person ever buried there. A sandstone slab marks his grave, on which is inscribed this epitaph:

"He first engaged in Freedom's cause,
And fought for liberty and laws;
Then counting all earthly things as dross,
Became a soldier of the cross."

Of his father's family but little is known. We know, however, that Henry had three brothers, Thomas, James and Gilbert. They were all "mighty men," of prodigeous strength and nerve. It is related that James at one time, with his bare fists, knocked out six rugged boatmen who had entered his father's house, taking liberties which James did not tolerate. Gilbert was a good-natured giant, of whom it was said "The calf of his leg would stick in the thigh of an ordinary man's pantaloons."

After Henry came to Virginia he lost trace of his people in New York, as post facilities were poor. It is known that

*See note, page 410, "Withers Chronicles of Border Warfare."

some of them at least re-married in New York and New Jersey, from whence their descendants have scattered throughout most of the States.

The name is Scotch. J. P. McLain, an authority on Scotch Highland literature and clan history, says that the family belong to the "Clan Buchanan," located along the eastern shores of Lock Lomond, Scotland. The Highland appellation was "Na Canonaich." The coat of arms is given in "Illustrated Clan Works." The badge was "Bilberry." The slogan was "Clare Junis," this being the name of an island in Loch Lomond.

June 30, 1901.

SUPPLYING AN OMISSION.

The writer, in his article on the Kanawha River Improvement, in the April number of this Magazine, omitted to state that after the action of the Senate Committee therein mentioned there was a Board of Engineers appointed to consider the subject and decide upon the character and cost of the improvement to be adopted.

The Board was composed of

J. G. Barnard,
Col. of Engineers and Bret. Maj. Gen. U. S. A.

Benjamin H. Latrobe.
Civil Engineer.

Q. A. Gilmore,
Lieut. Col. Engineers and Brvt. Maj. Gen.

Wm. P. Craighill,
Maj. Engineers, Brvt. Lieut. Col.

G. Weitzel,
Maj. Engineers, Brvt. Maj. Gen. U. S. A.

Thomas Turtle,
First Lieut. Engineers, Recorder.

The report of this Board was made to Brig. Gen. A. A. Humphries, Chief of Engineers, U. S. A., March 18, 1874. Submitted by him, with his approval, to Hon. W. W. Belknap, Secretary of War, April 2, 1874, and transmitted by him to the House of Representatives, April 16, 1874.

The next Congress appropriated $300,000 with which to commence the lock and dam improvement.

AN ANTIQUE AND VERY STRANGE EPITAPH.

To the Editor of the West Virginia Historical Magazine:

Mt. Wood Cemetery, at Wheeling is the original burying ground for that ancient burough. There are quite a number of tombstones in the cemetery that are more than a hundred years old. Near the central part of the ground is a large flat stone five or six feet in length by three or four feet in width, which contains an epitaph that has been examined by thousands of people who have frequented the cemetery. The letters are so mutilated that it is impossible to decipher the names, ages, etc., of the people who are buried beneath it. One of the stanzas about the middle of the stone is spoiled so badly that it cannot be deciphered.

I give below a literal copy of all the lines that are legible. To say the least, it is a strange effort at poetry, and especially so when a number of the lines end with the word "etc.". One would hardly believe that such an inscription like this could be conceived by any person; and yet it was done and can be seen and read by any person who possesses the energy to climb the high hill at Wheeling and visit this ancient City of the Dead.

The following is the epitaph:

"Children dear, what made you go, so
Far away, etc.,
To leave us in our great sorrow, so
Far away, etc.
You could not find a better home,
Nor better friends where e'er you roam,
With saints and angels round the throne,
Far away, etc.

* * * * * * * * * *

"Dear parents, weep no more!
All is well, etc.
We've landed safe on Caanan's shore,
All is well, etc.
Ah! friends we have, we are all well known,
With saints and angels round the throne,
And Jesus claims us as his own,
All is well, etc."

I regret that I cannot furnish your readers the names of these eccentric parents. G. W. ATKINSON.

Charleston, July 15, 1901.

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J. P. HALE, Editor, President of the Society.

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ANNOUNCEMENT OF RESIGNATION.

The present number completes the first year of "THE WEST VIRGINIA HISTORICAL MAGAZINE, QUARTERLY."

The present Editor, influenced by considerations of advancing age and declining health, hereby resigns the editorship; with the hope, however, that in younger and abler hands, the MAGAZINE will merit and receive the support of the West Virginia public and attain the position of honor and usefulness which its projectors (The West Virginia Historical and Antiquarian Society) are hoping and claiming for it.

Respectfully,

J. P. HALE.

The West Virginia Historical and Antiquarian Society.

THE WEST END OF WEST VIRGINIA.

BY W. S. LAIDLEY, ESQ.

The territory fronting on the Ohio river, from the Kentucky line, to Guyandotte, a distance of eleven miles, where the level, rich, bottom lands extend from the banks of the Ohio, (in some places more than a mile), to the hills overlooking the said river, will designate the locality of which we write.

At the mouth of the Big Sandy, is the town of Catlettsburg, Ky., and on the upper side of the Guyandotte river is the town of Guyandotte. The said eleven miles, (always called twelve), between these towns have been held by farmers, whose farms extend in strips, running from the Ohio river back into the hills, so that each farmer had a river front and timber land on the hills.

The manner in which these lands were laid off and when and for what purpose, and how peopled, and by whom, will constitute a large part of this article and make a chapter in the history of our State.

To give the reader some insight into the settlement of this section of the county, requires us to go back into the history of the Virginia Colony and the wars of England with the French and Indians.

England and France had been at war for ages, old enemies, eternally fighting all over Europe, about everything that any country was interested in, sacrificing human life and destroying the country, to gratify some supposed enmity or to gain some supposed national advantage, or to satisfy some whim of some man or woman.

The French had settled in Canada, and at New Orleans, and

were disposed to claim all the lands drained by the Ohio and Mississippi rivers, while the English claimed all south of the Lakes.

It was proposed by Thomas Lee and others to establish a separte colony on the Ohio river, and by others to establish "The Ohio Land Company," and there was sent a surveyor to look over the lands on the Ohio and tributaries, in the year 1750, and there was others desirous of owning all the land they could secure, and among the many divided interests, there was nothing done toward settling their claims.

The French about the same time, in 1749, sent an expedition and pretended to take formal possession to strengthen their claims which expedition went down the Ohio river and buried leaden plates, in different parts of the country, on the banks of the Ohio, and one of these was buried at the mouth of the Great Kanawha, on the 18th of August, 1749. This was found in 1849, by a son of John Beale, a copy of which is now in the Historical Society in Richmond, Va. It was planted as a monument of a renewal of possession of the Ohio river and its tributaries "At the mouth of the river *Chinodashichetha*,"—on the bank of the Ohio river.

In 1753 the French began more substantial monuments, in the nature of forts and fortifications, expecting to establish a line of such forts from the Lakes to the Ohio, and to hem in the English, and keep them east of the Alleghenies.

George Washington was selected to carry a notice from the Governor of Virginia to the French authority on the Upper Ohio, when he was twenty-one years old. The answer of the French was, that they owned the land and meant to hold it. This meant business, and the worst kind of business, as of old, between the French and the English, and the first on the ground had the best chance to build forts which if manned properly, would be difficult to dispossess. The Indians also set up claims to the territory, and notified both the French and English of their claims; but their claims were obtained by conquest from some other nations and, by conquest the title and claim was now to be established by the three claimants. There was no court to which they could submit their claims for adjudication or arbitration, and the matter of dispute was to be settled by sword and gun, tomahawk and torch, from which there was no appeal.

Capt. William Trent, with a company, started from Hampshire county in January, 1754, to erect a fort at the forks of the Ohio, and commenced the work and continued the same until April, when the French commander appeared with a much larger force and some Indians, and Captain Trent came away (?) and the French completed the work and called it "Fort Du Quesne."

There had been no actual state of war declared between the English and French since the last treaty of peace, but each nation was pushing its claim to the Ohio Valley.

The Indians in 1753-4, left the Valley of Virginia and went west of the Alleghenies, and some tribes were induced to join the French. The reader may grow curious to know what all this has to do with the settlement of the west end of West Virginia, and it does look a little remote, but do not become disquieted, possess your soul in peace, it has much to do with it, and 'tis well enough for you to know it.

Governor Dinwiddie, of Virginia, knew that time was precious, and he must act promptly and to do anything there was needed men and munitions of war. He could not wait for the dilatory movements of his home government in England, he must secure his army in Virginia, and he must offer some inducement to secure the men to volunteer promptly. He had nothing to offer but the land he proposed to conquer, and he made a proclamation whereby he offered to give *two hundred thousand acres of land on the Ohio river* to be divided between the officers and men who should engage in this expedition against the French.

There were many sons of farmers that thought they saw a chance to secure a snug farm for themselves in this land of promise, for their services in a short campaign, and it is said there was more trouble to secure competent officers than there was difficulty to secure the soldiers.

Washington on the 2d of April, 1754, left Alexandria with two companies of about one hundred and fifty men and the remainder of the regiment was to follow, under Colonel Fry. He was joined at Winchester by a detachment under Capt. Adam Stephen, and they moved on to Will's Creek, now Cumberland, Md.

Of the size of this army and of the men composing it, we are informed that there were about four hundred in all. It was under the command of Col. Joshua Fry, and Lieut.-Col. Geo. Washington, Major Muse, Captains Wm. Trent, Adam Stephen, Robert Stobo, Peter Hogg, and Andrew Lewis, with Lieutenants Jacob Vantraam, George Mercer, Thos. Waggener, Wm. Polson, John West, and *John Savage*, and Surgeon James Craik.

Colonel Fry died shortly after the march began.

Without going into particulars—Colonel Washington, on the 4th of July, 1754, surrendered Fort Necessity, which he had constructed, and went back to Cumberland.

Governor Dinwiddie, in November, 1754, wrote to Captain Sims and said, "I desire you to send to me your Lieutenant, *Mr. Savage*. I wish to send him to the Eastern shore to recruit." Captain Lewis' company was from Augusta, and he did send *Lt. John Savage*, and he did go to the Eastern shore. Perhaps the names of the officers mentioned will recall the names of some of the early settlers on the Ohio river.

It will also be remembered that in the following year, General Braddock came and with a much larger army and much better

equipped, went out on the same road and farther on, and was well whipped and his army came back without him, in a total rout and defeat. These engagements left the French in control of the valley of the Ohio river, and even the fort at Winchester, the outpost of Virginia, was threatened by the Indians.

The Indians, encouraged by the French, made war on the settlements on the frontier of Virginia, and destroyed all unprotected settlements, and committed all manner of horrid murders, and even threatened the destruction of Winchester, and nothing but the fort then constructed by Washington ever prevented it.

Col. Andrew Lewis started west against the Indians in 1756, with two companies from Augusta, under Captain John Alexander and Capt. Peter Hogg, one company from Jackson River, under Capt. Audley Paul, a company from Botetourt under Capt. Wm. Preston, and a lot of Cherokees under Capt. Richard Pearis. They went from Salem, through Mercer county, to the head of Big Sandy and down to the mouth and were then ordered to return home, and were not permitted to cross the Ohio and attack the Indian settlements.

In the year following and in 1758, the Indians continued their raids, until in the fall of 1758, Fort Du Quesne was taken by the English and named *Fort Pitt*, now Pittsburg, and in 1762, by the treaty between the French and English, the war was ended, and the dominion of the French ceased in America.

In 1768, the Six Nations, by treaty, ceded to the English all lands south of the Ohio river, and the Indians only made incursions into this territory for some supposed revenge on the whites.

Governor Dinwiddie's proclamation of Feb. 19, 1754, promised land bounties to those that enlisted in the service of the Crown, and the same is recited in the grants subsequently made in pursuance thereof.

Colonel Washington, Adam Stephen and Andrew Lewis, on behalf of themselves and other officers and soldiers, entitled to the bounty, presented a petition to the Governor and Council in 1769, praying that the 200,000 acres of land which was given to them by the proclamation of 1754, might be allotted to them in one or more surveys on the Monongahela and its waters: from the *Long Narrows* to the place called *Nicholas Knotts*, on New river or Great Kanawha from the Falls thereof to the mouth, and from Sandy Creek, or Great Tatteroy from the mouth to the mountains, and that they might be indulged in the appointment of a particular surveyor, upon which the Council entered an order granting leave to take up the lands in one or more surveys, not exceeding twenty in the parts of the country mentioned, so as not to interfere with prior surveys actually and lawfully made. Thirteen of the surveys were returned in 1772, and the Council ordered patents to be issued thereon and they were all issued on the 15th of December, 1772. Other surveys were made and the patents issued

thereon December 1, 1773. The grants were confirmed by the Act of May, 1779. Among them is the grant known as the *Savage grant*, made to *John Savage and* 61 *others, for* 28,627 *acres*. 2 Code 1819, 348-9.

There was a Board of Commissioners appointed to settle the military accounts of the late war and among the claims that came before the Board were those officers and men who had engaged to serve till peace, under the proclamation of Governor Dinwiddie, made in 1754, promising the two hundred thousand acres on the Ohio river.

For the counties of Hampshire, Fredrick, Culpepper, Prince William, Loudon and Fauquier were Washington, Fielding, Lewis, Wm. Green, Thomas Marshall and Thos. Rutherford.

For the counties of Augusta, Louisa, Orange, Albemarle, Amhurst, Bedford and Halifax were Thos. Walker, Geo. Carrington, Wm. Cabell, Thos. Lewis and Peter Hogg.

Washington determined to visit the country of the Ohio river with a view of making selections of some choice lands, to mark them and then apply for his soldiers' claims. He and his friend, Dr. Jas. Craik, with three negroe attendants, mounted, with a lead horse for luggage, set out for the Ohio on the 5th of October, 1770, and reached Fort Pitt in twelve days, where they found a settlement of twenty houses and where they left their horses and took a large canoe and went down the Ohio as far as Great Kanawha.

Savage Grant.—There was several surveys made in different parts of the western part of the county, and of course many grants were made, probably as many grants as surveys. There was one for 28,627 acres to John Savage and others. This survey was made from Great Sandy creek or Great Tattoroy, up the Ohio river to Little Sandy, now the Guyandotte, and was then in the county of Fincastle. Afterwards it was in Montgomery, then Kanawha, then Cabell and afterwards, from Fourpole creek down, in Wayne county. This grant included land, extening to and *beyond* the boundaries of the Big and Little Sandy rivers. It included the town of Catlettsburg, and it extended up Big Sandy and particularly on the Kentucky side, at least fifteen miles. It extended above Guyandotte and up the Guyandotte river and the lots on the Ohio river extended back to the Guyandotte river. A copy of the partition was filed in Cabell county court clerk's office and is there yet in a dilapidated condition.

The names of the patentees, or to whom the land was granted, by the Commonwealth of Virginia, were:

John Savage, William Bailey, Henry Bailey, Nathaniel Barrett, Christian Bumgardner, William Braughter, John Bishop, Richard Bolton, Nathaniel Chapman, William Cotland, Mathew Cox, Timothy Conway, William Curnes, James Carmack, William Franklin, John Gholston, James Given, Philip Gatewood, Joseph

Gatewood, Edward Goodwin, David Graham, Patrick Gideon, John Houston, William Hogan, Geo. Hurst, Bob Jones, Joshua Jordan, Andrew Jones, Wm. Johnston, Charles James, William Jenkins, William Johnston, John Kincaid, James Laidlow, William Lowry, Robt. Langdon, James Lairey, Heath McCoy, Angus McDonald, John Maul, Thomas Mc—, Richard Mc—, George Malcomb, Marshall Pratt, Henry Paul, John Ramsey, Richard Smith, John Smith, Charles Smith, James, Samuel, Michael Scully, Daniel Stephen, Robert Tunstall, Richard Trotter, John Williams, Edward Wagoner and John Wilson.

From what county or country these soldiers came or what company or companies they were in does not appear from the said patent. It granted [illegible] acres and dated December [illegible] and located the same by the said survey.

Col. Washington made a list of the names of the men that were entitled to pay for services in said French campaigns, which is very similar to the names of the grantees mentioned. Said list will be found in Vol. I, No. 1, page [illegible] of this magazine.

It has been said that Washington made the second survey on which the patent was issued to John Sayre and others for the 23,6[illegible] acres of land, and others have dated with as much positiveness that the surveyor was unknown and could not be ascertained.

After much research and labor we are pleased to announce that his name was *Capt. William Crawford*, of Berkeley county, Virginia. On page 296 of the Journal of Col. Washington, 1754, it is said:

"In the spring of 1754 Washington sent out *Capt. William Crawford*, to survey these lands, bearing in the meantime the whole expense preparatory to having them patented, under the Governor's proclamation of 1754."

The said Journal continues to treat of the said subject in full and mentions the different payments made to Capt. Crawford.

In the Virginia Gazette of February 15, 1770, there appeared the following:

"It is now become indispensably necessary that the claimants in the patent to John Sayre and others who were with Colonel Washington at the battle of the Meadows, for 23,6[illegible] acres of land on the river Ohio and Sandy creek, should come to a speedy division of said land. They and every of them or their representatives are therefore desired to attend at the confluence of the Great Kanawha on Monday, May the 8th day next, in order to proceed to division. It will be expected that the persons attending the original survey be by each claimant then paid.

Wm. Christian
R. Richardson
Isaac Lewis
James McCorkle, Jun.

The surveyor at this partition is said to have been Thomas Buffington, of Hampshire county, whose father had purchased the interest of John Savage. The name of said T. B. was found on a tree, made at this date.

It will be supposed that when the survey was made in 1772, there were no white people residing anywhere near this land.

The partition was made in 1775, and a map thereof with the lots laid off and numbered and a report of the assignment of lots to owners.

It does not appear that there was a single person entitled to a share in the "Savage Grant" that ever took possession of it; but it does appear that either the soldiers themselves, or their heirs, sold and assigned their interest in said grant to others. It was about twenty years after the war was over that the grant and partition was made, and the country still a wilderness, and it is supposed that the men grew tired of waiting or did not care as much for that kind of land as they thought they would when they enlisted.

The partition of 1775, was not satisfactory and in 1809, there was chancery suit brought to set a-side the same, besides the land was afterwards sold for the United States direct tax, nd the assignees of the claims purchased of the soldiers, desired to set up and have their rights adjudicated. The complainants were Wm. Coleman, Maurice Morris and Wm. Johnston and the defendants were the assignees of the soldiers and the soldiers themselves, viz: Simon Morgan, Moses and Jas. McCormick, John Poage, Mark Russell, Benry Brown, Martin Hull, John Merritt, Wm. Merritt, Jeffry Russell, Jno. Russell, Lieut. Nat'l Scales, Wm. Hampton, John Chadwick, Jacob and Wm. Hite, Alex. Porter, Ran. Heizer, Thos. and Jonathan Buffington, Henry Hampton, Chas. Brown, Benjamin Brown, Ed. Morris, Edmond McGinnis, Peter Scales, Henry Brown, Jeremiah Ward, Noah Scales, M. A. Noah Bostick, John Rogers, Richard Crump, Wm. Holderby, Joshua Howell, Stephen Kelly, Jas. Haskins, Daniel Leet, Thos. Moss, David Wilson, Jas. Malcomb, Jas. Hagan, Martin Hollenback, David Spurlock, Hugh Paul, Wm. and Joel Buffington, Aexander and Horatio Catlett, Achilly Rogers, also Daniel Morgan, John Morrow, Exor. Robt. Rutherford, John Savage, Jr., Elizabeth Winnineo, Magnus Tate, Margaret Latravage, Sam C. Beider, Parmara Warden, and then the list of soldiers, the grantees on the grant.

Congress found it necessary, in order to raise funds to meet the expense of the second wr with England, to resort to the Direct Tax method of raising it. This act was passed Aug. 2, 1813, for raising three millions of dollars, and the share that Virginia was to raise was $369,018.44 and New York was the only one whose share was gretaer. Of the counties that composed the present State of West Virginia, sixteen in number then, their portion was $43,469.94, and Jefferson county's share was the largest of these, being

$6,876.28, while that of Cabell county was $1,546.50. The tax on the land in the Savage grant was two cents per acre. The share of each soldier on said grant was 400 acres, and his tax would have been $8.00, and the decree provided if this tax and equalization money was not paid by July 1, 1819, the land should be sold.

The said court in 1817 directed a surveyor and a commission to go upon the land, and to make such surveying as might be necessary, to report what sums of money to equalize the value of the lots would be required and make report, etc.

General Edward W. Tupper was the surveyor, and the commission was composed of George Summers, Lewis Summers, John Henderson, Wm. Sterrett and Andrew Parks.

Their bill of expenses was $2,351.55 and was assessed at $33 to each share of 400 acres, which was in addition to the tax and equalization money. They reported the number of lots, to whom assigned, with number of acres and estimated value, at the time the partition was made in 1775 and the amount each lot was either above or below the average valuation.

NOTE.—The George Summers and Lewis Summers mentioned as commissioners, with others appointed by the Chancery Court at Staunton, Va., was George, the father of Judge Lewis and Judge George W. Summers, of Kanawha, who had in 1813 removed from Fairfax county, Va., and had settled on the Kanawha river, on the Dr. James Craik part of the land assigned to him for services in the French and Indian wars and who lived near Alexandria. Lewis Summers visited the Kanawha Valley in 1808, and his Journal was published in the Southern Magazine in Feb. 1892.

In the decree in said suit in Staunton, dated December 8, 1818, there was disposition made of certain lots. It is stated in said decree that in 1775 there was allotted to William Buffington 3,428 acres—this was confirmed to Thomas and William Buffington, for the purpose set forth in the will of William Buffington, their father.

There was 800 ores allotted in 1775, to Chas. Morgan as assinee of the shares of Christopher Bungardner and John Holston—there is hereby confirmed to Simon Morgan 200 acres, to Nancy Morgan 200 acres, to James Wells and Sally, his wife, 200 acres, and 200 acres to the heirs of Charles Morgan, as is set forth in the answer of Daniel Morgan. There was llotted in 1775, to James McCormick 1,200 acres, owner of the shares of Timothy Conway, John Meade and James Ford—this was confirmed to Moses McCormick and others devizees of Jas. McCormick. Lots 48, 58, 59, 60 was allotted to Isaac Larue for the shares of Na-McCoy and those were confirmed to Edmund McGinnis.

Two fractions of lot 49 and lots 51, 52, 53, 54, 55, being the shares of Robt. Tunstall, Robt. Langdon, Joshua Jordon, Ed.

Evans, John Ramsey, Michael Scully, Marshall Pratt, were confirmed to John Morrow.

As to 56 and 57, the shares of James Given and William Hogan were assigned to Robt. Rutherford, and the same confirmed to Jno. Morrow—10 and 11 were the shares of Mathew Doran and Rich'd Bolton and were confirmed to John Morrow, ex'or of Robt. Rutherford.

No. 26 was confirmed to David Spurlock.

22 and 25, the shares of Wm. and Henry Bailey, were confirmed to Charles Brown, of Kanwaha county.

27 was the share of Charles Smith, one-fourth of it was conveyed by Philip Easton and Sarah, his wife, to Horatio Catlett, and as to the residue of said 27, the case was continued. Catlettsburg is located on lot No. 27.

15, the share of James Ludlow, was confirmed to John Poage.

18, the shares of Jas. Latrol, confirmed to John Poage.

31, the shares of Wm. Coleman, was confirmed to Achilles and Mildred Rogers.

7, 37, 38, the shares of Jas., Samuel, Hugh, Paul, Robt. Jones, was confirmed to *Henry Hampton*, and assignees, vi: 200 acres to Henry Brown, 300 acres to Nath. Scales and 200 acres to Mark Russell.

47, the share of David Gorman, was confirmed to Manoah Bostick.

5, the share of Rich'd Trotter, was confirmed to Ed. McCarty. That said Ed. McCauley had redeemed the lots sold by the United States and paid $207.03 on Nov. 14, 1813, at rate of 2 cents per acre, of which had been sold for the United States Direct Tax—that he is given a lien on all the lots so sold for said money so paid and unless repaid by July 1, 1819, said lots were to be sold by the Marshall. Said lots were 1, 2, 3, 4, 6, 8, 9, 10, 11, 12, 13, 16, 16, 18, 19, 20, 21, 22, 24, 25, 26, 27, 30, 31, 35, 39, 41, 42, 46, 61, and said sale to be advertised in the National Intelligencer of the city of Washington, and in the Richmond Enquirer.

NOTE.—The wife of Philip Easton was the daughter of Chas. Smith, and the wife of Chas. Smith was the daughter of Col. John Hite, of Frederick county, Va., a son of Jost Hite.

Indians.

But we are traveling ahead of our story.

Some kind hearted people have said and written much about the robbery by the whites of the Indians' lands, who owned the territory of North America, and would have us believe it was wrong to take it from them, &c.

It is very clear that there were people in this country before the Indians obtained possession of it, a race of people more civilized than Indians, and these people were not allowed to retain

the possession of said lands and it is doubtful whether they were even allowed to move further west, and there is no evidence that the the Indians ever paid any consideration for said lands that is usually mentioned in real estate transactions.

Within the Savage grant, there are evidences of a people other than the ordinary Indian. On the Scales-Beuhring farm is a mound, and near the same could be seen two large circles or rings marked out on the level land, which were discovered by the difference in color in the soil, as if something had interfered with a strip of land making the circle different from the land around it, by fire, or tramping, or otherwise.

For further information on the subject, see Dr. Hale's article in No. 3 of this magazine, entitled "Prehistoric Kanawha Valley," &c.

On the lower side of the Guyandotte, on the Ohio river, near the residence of Col. Emmons, there was a cemetery of some kind, which indicated a burying place at some former day. As the bank fell in, there could be seen evidences of human skeletons, near the surface, some of which fell to the level below.

This may have been an Indian burying ground of some kind, at some day, yet there is no history of any Indians having resided on this side of the Ohio, since the country was known.

It has been said that there was an Indian village where Guyandotte now is, when the country was first discovered, and that the river was called "*Guyan*," and the town Guyandotte, the "*dotte*" meaning town, but this is improbable, as the surveyors mentioned no such fact and they called the stream "*Little Sandy*" which was afterwards called "Guyandotte."

The Indians that committed depredations, massacres, &c., in the western part of this State, were Indians whose homes were out in Ohio, near Chilicothe, and there is no history of the tribes that ever inhabited this part of the country.

It is impossible at this time to give any accurate account of the Indian massacres that occurred in this vicinity.

Jonathan Buffington settled on the Guyandotte and had his cabin and his family. Once while he ws from home, there came the Indians, killed and scalped his family and burned his home. When he returned he found the remains of all of his family, excepting a baby girl. He concluded this child was left to live and had been taken by the Indians and he followed them, when he himself was made captive and kept by the savages. After many years he managed to make his escape and returned to his people, never having found his child nor learned what became of it, and the rest of his life his heart was burdened with this great sorrow which destroyed for him all interest therein.

The Indian title was no title, and they had no right except that acquired by conquest, and by conquest they lost it.

The Hebrew children conquered Palestine and took it by conquest, and this country was acquired in the same manner.

The Quaker who would not fight, might afford to purchase it and perhaps this would have been the cheapest, if one purchase would have bought it.

First Settlers.

Thomas Hannon came from Botetourt county in 1796 and settled on the Ohio, where it is now called Green Bottom, and he has been called the first settler in the boundary of Cabell county.

Thomas Buffington is said to have been in the locality before Mr. Hannon came, and that there is a tree some where that shows he was here in 1775, but it is very evident that he was no settler at that date—he was a surveyor only. It is supposed that he came about the time that Mr. Hannon did, or soon afterwards and settled where Guyandotte now is.

It is said that Stephen Kelly erected his cabin on the point, at the mouth of Big Sandy in 1798, and that Mathew Bellomy came in 1799.

There were two large surveys made in this vicinity in the year 1795, which are recorded in Kanawha county. One for Ben Berry and Daniel Jones, and it begins at a maple and willow at the mouth of Big Guyandotte river, on the upper side, on the Ohio river, and running thence down the Ohio, with its meanders *3520 poles* to two sycamores on the bank of the Ohio at the mouth of Big Sandy. This would make the distance 11 miles.

There was another survey made about the same time, which began at the same point at the mouth of the Guyandotte, and ran up the Ohio river for some great distance. Neither of these surveys indicate any houses on any part of said surveys, as laid down by them, which would most probably have been done had there been anythere, neither does the partition map of 1775 indicate any improvements thereon.

Kanawha county was formed in 1788, and included all that is now in Cabell and Wayne.

The records of Kanawha shows that Buffington Island was purchased by Joel Buffington in 1787.

That Chas. Brown, of Kanawha, purchased the shares of the Baileys, in the Savage grant in 1806.

In 1805 Henry Hampton conveyed 300 acres to Manoah Bostick and 100 acres to Henry Brown, that Monoah Bostick conveyed his 300 acres to Nathaniel Scales in 1806. The Mathew Cox share was conveyed by his son, Carter Cox, and by David and Jesse Spurlock to Jeremiah Ward in 1805, 400 acres. Jeremiah Ward owned land on the Guyandotte and conveyed same to his family in 1801-02.

Wm. Bishop to O. Fuqua 400 acres, between Big and Little Sandy.

The title of Wm. Bishop was evidently doubtful, as there is a deposition taken of Original Young, to prove "that he and Jno. Bishop were in the Braddocks war, in Capt. Bullett's Co., and that William Bishop was the only son that John had by his wife."

Anthony Gholson conveyed to his son, John, his 400 acres in 1801, and John conveyed it to Samuel Griffith in 1801.

The record in Kanawha discloses another fact that does not bear upon this subject properly, but shows that Capt. John Savge located of his land, 2,572 acres on the Kanawha river at the mouth of Pocatalico, that he sold 1,572 acres of it to Wm. Buffington, of Hampshire county, and gave a title bond for it, that the deed was not made in the life time of said William, and by his will recorded in Hampshire county he directed how the deed should be made and for whose benefit, mentioning many of his family, and that John Savge, son of Capt. John, afterwards made a conveyance of part of the said land.

Cabell County Formed, Etc.

The county of Cabell ws formed by the Act of Assembly passed January 2, 1809, taking the same from Kanawha, nd it extended from Big Sandy up the Ohio river to the mouth of Little Guyandotte, and thence with the Mason county line to the Teays Valley, &c. The said act appointed a commission to locate the public building, the county seat of government.

On the 9th May, 1809, the said commission made the following report:

"We, John Shrewsbury, Wm. Clendennin, John Reynolds, Jesse Bennett, and David Ruffner, appointed to locate the public buildings under the act, &c., taking into consideration the convenience and inconvenience, and the population, and interest of the county, do fix the mouth of the Guyandotte, on the upper side thereof in the middle of a field, occupied by Wm. Holderby as the most practicable place for said public buildings, &c."

These gentlemen resided in Kanawha county, at and above Charleston. Among the oldest inhabitants of Guyandotte, it is yet remembered where the court house square was located, and it was pointed out to us by Samuel Hayslip, a grayhaired ancient sire. While it is not our purpose to give the history of Guyandotte, but leave that for another, we mention that the act of January 5, 1810, there were condemned 20 acres of land on the upper side of the Guyandotte part of the Savage grant, Military Survey, held by Thos. Buffington, which was established as the town of Guyandotte, and the following trustees were appointed, viz: Noah Scales, Henry Brown, Richard Crump, Thos. Kilgore, Edmond Morris and Elisha McComas. That they proceeded to sell lots on the 28th, July, 1810, and the purchases paid the purchase money to Thos. Buffington and received their deeds. The

first recorded was dated 21st Sept., 1810, for $67.50 to Saunders Witcher, then to Daniel Witcher, John Rodgers, Abraham Miller, Edmund McGinnis, Wm. Merritt, Ed. Morris, Richard Crump, John Simmons, James Gallaher, of Gillia county, Ohio, and many others.

The first justices of Cabell county were Manoah Bostick, Mark Russell, Henry Brown, &c. Edward Morris was the clerk. Thos. Ward was ppointed sheriff 14th Feb., 1809, with Jeremiah Ward, Nathaniel Scales and M. Bostick sureties on his bond. On the 2d July, 1810, Henry Brown was appointed by the Governor sheriff of the county, and on the 31st July he gave bond, with Edmund Morris, Mark Russell, Henry Haynie, and John Rogers his sureties.

J. Neale, of Faquier county, conveyed his interest in the military land grants under order of 1769, to Henry Hampton, of Prince William, and by his will recorded in 1778, Henry Hampton gave his sons, William and Henry Hampton, eighty acres in the Savage grant, etc. He also mentions his daughter Sarah, the wife of Geo. N. Brown, and his daughter Elizabeth, the wife of Thos. Brown, and Eleanor, the wife of Samuel Steele, etc.

George N. Brown was the father of Henry Brown, Richard Brown, and Benjamin Brown, which sons were early on the ground.

We thus have at an early day, the Buffingtons, from the county of Hampshire, the Hamptons and Browns, from Prince William county, and the Scales, from North Carolina, and Mark Russell, from Mecklenburg, near the North Carolina line.

Across the mouth of the Guyandotte there was a ferry, as there was also across the Ohio river, both owned by Thos. Buffington.

The county road from Guyandotte to Big Sandy was along the river bank, with large sycamore, elm and other trees on the bank on both sides of the road. The early farm houses were built near this road, and the first below Guyandotte was that of the Buffingtons, then that of Robt. Adams, then that of Jeffrey Russells, and then James Buffington, who afterwards removed to Ohio, and John Russell took his place. Robt. Adam's place went to Col. Wm. Buffington, afterwards to his daughter, Mrs. Judge Hagan. The Jeffry Russell and John Russell farm went to Col. Wm. Buffington and to his son, Dr. John N. Buffington.

John Laidley, after the war in 1812, located in Cabell county, married Mary Scales Hite, and was the attorney for the Commonwealth all his life. He bought the farm next below the Russell farm, and moved there in February, 1828, and afterwards built thereon. This was known as the Neff place. Jacob Hite had purchased the farm next below and conveyed it to his brother William Hite.

Dr. William Paine owned next below. Then came the property of Mrs. Lane, and then the farm of the Staley family.

In 1811, 1812, Henry Hampton sold to George and John Hol-

lenback two farms, and Hampton (Dr. Henry) lived on the farm on which the Academy was afterwards located, the Jas. Holderly farm. Mark Russell purchased next below and lived the rest of his life thereon; this passed to Jas. Gallaher, afterwards to his son-in-law, Jas. Harvey Poage.

The next farm below was that of Major Nathaniel Scales, which afterwards was the home of Frederick G. L. Beuhring.

Just below the Scales' farm came that of Richard and Dr. Benjamin Brown. Richard sold out to the Doctor, and removed to the Forks of Big Sandy, and Dr. Brown resided on his farm until his death in 1848, when this farm passed to Albert Laidley, who had married Vesta Brown. The farm next below was known as the Stribling farm.

Then came the farm of Capt. Samuel Johnston, who purchased of Henry Clarke in 1849. Then came the farm of Isaac Johnston. And next was that of Alexander Pine, and then the farm of Mrs. Bellomy, and then Martin Hull, and then in order, William Poage, James Poage, Joseph Negley at the mouth of Four Pole, the McCormicks and Handleys, which took all to the mouth of Twelve Pole creek, and below are found Thos. L. Jordan, and the Morgan Bottom to Big Sandy.

When you cross Big Sandy, you enter the town of Catlettsburg in the State of Kentucky, and across the Ohio river, you come into South Bend, in the State of Ohio. On the Morgan Bottom, there is a town called Ken-o-va, which indicates this locality by the initials of these states.

Having located the farms, let us tell some of the history of the families that had come to and settled on this Savage Grant.

Buffington Family.

The ancestor of this family was William Buffington, who came from Pennsylvania and settled in Hampshire county previous to 1757. He purchased from Capt. John Savage, in 1772, his interest in the grant of Virginia for his services in 1754, 1755, etc. William Buffington by his will dated March, 1884 and recorded August, 1884, directed the conveyance to be made to his sons, Thomas and William, Jr., in trust for his children, and said deed was made in October, 1785. There are mentioned in said will the names of Joel, Thomas, William, David, Richard, Jonathan and Susanna, Rush and Mary, and his wife, Mary.

Thomas and Jonathan came to the said Savage grant, and Thomas tok the active control of it. He married Ann Cline in 1775. He undoubtedly was on hand at the partition in 1775.

Thomas Buffington, 1751-1836, built on the point just below the Guyandotte. He had twelve children, but four of whom

lived to be grown. They were William (known as Col. William), Thomas, Susan, Rebecca and James.

Thomas, Jr., died unmarried. Susan married Martin Hull and died young. Rebecca married John Russell, and James married a Miss Lane and went to Ohio.

COL. WILLIAM BUFFINGTON.

Col. William Buffington was born in 1787, married Nancy Scales who was born in North Carolina in 1795. He was a surveyor of lands all his life, was Colonel of the Militia; he built his home in the Cedar Grove, near where his father's house was. He was a large land owner, with slaves, and whose income was large. He died in 1858, and she died in 1882.

The oldest son was Col. Peter Clone Buffington, 1814-1875. He attened Kenyon College, Ohio, was a surveyor, represented the county in the Legislature, was Commissioner of Forfeited and Delinquent Lands, and was active in politics and all public matters. He was the first mayor of the new city of Huntington. He owned a large share of the Savage grant, and resided on the farm next above the College.

The next child was Amanda, 1816-1873. She was educated at Pittsburg, married Michael Tiernan, and settled in Ohio.

William Henry Buffington, 1818-1899.

Thomas J. Buffington, M. D., 1821, lives in Baton Rouge, La.

Mary Jane, 1824-1886. Attended school at Marshall Academy, and Steubensville, O. Married Wm. H. Hagan, and lived adjoining her father's farm.

James H. Buffington, 1829, attended school at Academy, built and lived on the point where Col. D. W. Emmons now resides. He removed to Kentucky after the war.

Dr. John N. Buffington, 1832-1878, attended school at Academy; graduated at medical school; married Miss Thompson of Culpepper county, practiced medicine till the war came on. He married after the war, Miss Garland, and his daughter, Florence, married E. W. Staunton, and resides in Charleston. He abandoned the practice of medicine, because, he said, he suffered as

much in sympathy as his patients did of the disease. He lived at the residence of his father, and died suddenly at home.

This family was the wealthiest in the neighborhood, having large landed estates, which they were ever increasing by purchases.

Laidley Family.

JOHN LAIDLEY, ATTY., ETC.

A sketch of the life of John Laidley was given in this magazine in January last, and will not be repeated. He obtained his license to practice law in 1813, and soon after entered the army until the war of 1812 was over in 1814, when he returned to Cabell county. He was the Prosecuting Attorney for Cabell all his life; he died in 1863. His children were:

Amacetta, 1818-1867, was educated at Pittsburg. She married Hon. G. W. Summers in 1833, and removed to and lived in Kanawha county.

Louisa Mary, 1820-1845, married Wm. H. Buffington and died at the age of 25.

Theodore T. S., 1822-1886, attended school at Kenyon and graduated at West Point; was in war with Mexico. Married in 1848, was Colonel in Ordnance Department U. S. A., went to Europe, and died on the retired list, and was buried at West Point.

Albert, 1824-1876, attended school in the "Old Field School House" and at the Academy, and at Athens, Ohio. Married Vesta Brown, daughter of Dr. Benjamin Brown, in 1845, was a merchant, and after death of Dr. Brown, purchased the farm and lived there. His store was a post-office and voting precinct. He managed his farm, saw-mill, store, built steamboats, and

raised stock. He lost heavily in 1856-7, but paid his debts, gave up his former business and read law, was elected to Legislature of Virginia in 1860. After the war he induced Mr. C. P. Huntington to locate his town on the Savage Grant, at South Landing, etc., and sold to Mr. Huntington the land from there to Guyandotte.

Thomas Mortimer, 1826-1890, attended school at the Academy and graduated at a medical college, practiced medicine in Cabell and in Putnam counties; married Miss Beall, of Jefferson county in 1857, removed to Illinois and afterwards to Texas. He was in the Medical Department of C. S. A.

Alexander Ulyses, 1828-1895, also attended the Academy, taught school for many years, was Clerk of the Court of Wyoming county, married Mrs Poage in 1872, and resided in Huntington until his death.

Sarah E., 1830-1858, was a student at Academy until her marriage to Julius Poage, (son of James Poage), in year 1850, and removed to Missouri. On their journey to Texas in 1858 the steamboat took fire, and she with many others were lost in the river. She was buried at La Grange, Mo., in 1858.

John, Jr., 1832-1886, attended same school. He died in Rolla, Mo.

Eliza M., 1834-1868, attended school at Academy and in Charleston.

James H., 1837-1893, went to Marshall Academy, removed to Missouri, entered General Price's army, C. S. A., after which he went to California.

William Sydney, 1839. He attended Marshall Academy, afterwards Marshall College. In 1863 he went to Kanawha and read law with Judge Summers; married Virginia Brown in 1869, a daughter of Judge Jas. H. Brown, only son of Dr. Benjamin Brown. He continues to reside and practice law in Charleston.

George Summers, 1841-1894, attended school at Marshall College and at Marietta College, was a merchant. Married in 1865, removed to California, after living years in Huntington.

Helen M., 1843, attended school at Marshall College, and in Charleston, and the Steubensville Female Seminary. Married Lewis H. Burks in 1867, and resides at the old homestead, now in Huntington.

The Hites came from the Valley of Virginia, the Buffingtons from the South Branch of the Potomac, the Browns from Prince William County, Virginia, the Scales from North Carolina, and Mr. Laidley's father came from Scotland ant settled on Monongahelia, where he held over 25,000 acres of land by patents.

Brown Family.

George Newman Brown lived in Prince William county where

he married a daughter of Henry Hampton, and this time the sons of Geo. N., became interested in the Savage Grant. Henry, Richard and Benjamin came in 1805. Henry was one of the first justices of Cabell and the second sheriff, and he had been acting sheriff but a short while, when he was missed. His horse was found and perhaps his hat, but his saddle pockets and person were never found. It was supposed that he was murdered, as it was known he had money about him.

Richard and Benjamin lived on the farm next below the Scales' farm, on No. 37 of the Military Survey. Richard built on the river, the white brick house about where Fifth street comes to the river, the first brick in the county, and this place was known at "South Landing," afterwards as "Brownsville," where there was a store kept, and a boat landing on the Ohio.

Benjamin was a practicing physician, and his practice extended over on Sandy, up the Guyandotte, and into Ohio.

Richard sold out to his brother Benjamin and removed to the Forks of Sandy where he owned a good large farm.

Dr. Benjamin, 1786-1848, married Matilda, youngest daughter of Natl. Scales, and lived and died at his home on his farm in 1848, one of the most popular and beloved Virginia gentlemen. His family consisted of one son and three daughters.

James Henry, the oldest, was born in 1818, went to school in the Old Field School House, at Augusta, Ky., and Marietta, O. Studied law and practiced in Cabell and Wayne. Married a daughter of B. G. L. Beuhring, who lived on an adjoining farm, the Scales' farm. He removed to Kanawha, and at the age of eighty-two died at his home. He was judge of the circuit court, and on the court of appeals, and had much to do with the formation of the new State.

Vesta Brown, married Albert Laidley.

Csres Brown, 1821-1866, never married; was well known and beloved by all the families in the neighborhood.

. .*Josephine Brown*, 1826-1883, married Rev. Robert Osborn, of New Jersey, a minister of the Presbyterian Church. He lived many years as pastor of a church at Point Pleasant, and then returned to New Jersey.

Mrs. Vesta Laidley is the only remaining one of this family, and her recollections have aided much in the preparation of this article. She spent most of her life in Cabell county, excepting a few years lately spent in California.

Scales Family.

Nathaniel Scales came from North Carolina. He at one time lived in Patrick county, Virginia. His wife was Mary France, whose mother was Elizabeth Jennings, from England. His wife died in 1826, aged 66.

Nathaniel brought with him a large family, with servants, etc., and stopped for a while on the Kanawha, at the Salines, but went on to the Ohio river. He purchased part of the Savage Grant in 1805, extending from 7th to 11th street, of the city of Huntington, measuring on the Ohio river. He was a man of influence and wealth, as his purchases indicate, and he was one of the sureties on the Sherm's bond.

His family was an interesting one, and they were eight in number.

Elizabeth married Robt. Adams.

Sally married Jacob Hite in North Carolina, in 1800.

Mary married James Scales and remained in North Carolina.

Jensey married Manoah Bostick.

Peter was born in 1790 and died in 1863.

Abagail, 1793-1842, married Bishop Thos. A. Morris.

Nancy, 1895-1882, married Col. Wm. Buffington.

Matilda, 1797, married Dr. Benj. Brown.

Peter was born in Patrick County, Virginia, and was but twelve years old when his father left North Carolina. When he was sixteen years old he came from Cabell to Charleston and engaged as salesman in some commercial house.

He then went to Lexington, Va., to school, and there became a member of the firm of Bureau, Summers & Scales, doing large mercantile business in Kanawha county, where he lived for four years. He then went back to Cabell and took charge of his father's farm where he remained for about four years when he in August, 1827, married Ann Minor, of Woodlawn, Orange County, Virginia, and brought her to Cabell where they continued to live for about three years. He joined a corps of topographical engineers, whose chief was Capt. Crozer, who was on the Engineer corps of Napoleon I. The corps of Virginia engineers located the road from Richmond across the Blue Ridge and over the Alleghanies, by way of the White Sulphur Springs, down the Kanawha, and on to the Ohio to Big Sandy, the present line of the C. & O. railroad to a great extent. He also located other turnpikes and was a member of the Virginia Board of Public Works, whose reports constitute a part of the Virginia Records.

On the death of his wife's parents, he returned to Orange County to attend the duties of executor of that estate and remained there until 1846, when he removed to Mississippi.

He had a son he named John Laidley, and Dabney Minor Scales is an attorney residing in Memphis, Tenn.

"He filled the measure of a Christian gentleman."

Hite Family.

The members of this family that came to Cabell county were Jacob and William Hite. They were sons of John Hite, of Rock-

ingham County, Virginia, who was a grandson of Jost Hite, of Frederick, the pioneer of the lower valley of the Shenandoah.

Jacob moved to the Savage Grant in 1808, and purchased a tract on the Guyandotte about midway from Guyandotte and Barbersville, where he resided for many years. He also purchased a lot on the Ohio, which he sold to his brother William, the farm next below that purchased by John Laidley, and above that owned by Dr. Wm. Paine, which afterwards became that of Wm. H. Bullington.

Wm. Hite resided in his later days in Guyandotte, and his sons John B. Hite, William Hite, and Frank Hite, were merchants and manufacturers.

John W. Hite, only son of Jacob Hite, was a merchant of Guyandotte, and took a prominent part in the affairs of the town and county, and was a justice and a man of means.

The case of Commonwealth *vs.* Hite, 6 Leigh 588, gives some facts concerning the Savage Grant and the settlement of this part of the State. It states that in 1775, some of the grantees and part owners by a verbal agreement proceeded to divide a portion of said grant among themselves and other part owners, *and that several of them took possession, in pursuance of that division, of the lots so assigned to them, and thenceforth claimed the exclusive property of said lots or shares and have in said possesion and enjoyment of same.*

If this is literally true, then we are mistaken in what we have said in regard to the first settlers of this part of the country, but we do not regard this as a literal fact. The possession was not in our opinion a *pedis possession* that was continual. They may have been there, and no doubt were for some time in making this survey, and may have built a small cabin and cut a few trees around it, but that they remained there from 1775 is difficult to believe. There are no names given, and no tradition of their being there, and a few of them would not have been allowed to remain, as the Indians had to be consulted. Perhaps their remains remained in possession of the soil, or the soil in possession of their remains.

It is worthy to note that there is yet a daughter of Jacob Hite living in Huntington, who has resided in Cabell all her life, and who has witnessed the changes that have taken place. Her name is *Mrs. Isabella Hite Moore*, and she lives with Mrs. L. H. Bunks. She is about 80 years of age and is hale and hearty, and a typical Hite of the old school, with light hair, fair complexion and blue eyes, and rejoices that she is a descendant of the "Old Baron Yost Hite," the German settled of the Valley of Virginia. Her recollections have aided much in the preparation of this article.

DR. WILLIAM PAINE.

Dr. William Paine, son of Wm. Paine, was born in Bath County, Virginia, in 1785, was in Cabell as early as 1814, when he married Elizabeth Brown Russell, a daughter of Jeffrey Russell. He died in 1865. He was of the old school of physicians, and procticed medicine all his life, was perhaps the best acquainted with the medicinal properties of vegetation of any person of his time.

He was in the service of the United States in the War of 1812, and had his honorable discharge therefrom dated March 3, 1815, given to him by B. Spurlock, commandant of the detachment in whose company he served.

He also held another paper, which read as follows:

"These are to authorize William Payne to improve his gifts as an exhorter in the M. E. Church, Guyandotte Ct., so long as his spirit and practice shall accord with the Gospel of Christ and the discipline of said church. Given under my hand this 26th day of Aug., 1815.

"H. B. BASCOM,
"Senior Preacher for 1815."

About 1846, he built the brick residence, that now stands just above the Car Factory. He had ten children:

William, 1815-1855, was a physician and lived in Proctorville.

Thomas and *John* went West.

Mary married Calvary Stephens; she resides in Cabell county.

Henry B., 1823, married first a Miss McGinnis and then a Miss McCormick. He was a carpenter.

Elizabeth, 1826-1852, married Sylvester Fuller.

Sarah, 1828-1868, married Albert Russell.

Charles Wesley is a teacher.

Fanny, 1832-1853.

Ann married Alfred Seamonds and lives at Milton.

There were few men that were more methodical in life than

Dr. Payne, and all his life was a leader of the Methodist class meetings, and all his life a quiet, devout man, who attended to his own affairs and did not mix much with the world at large.

Mrs. Seamands has aided much in recalling the family history of this and the Russell family.

Russell Family.

There seems to have been two families of this name. Jeffry Russell, and Mark Russell represented them, and they were related.

Jeffrey had a son John, and a daughter Elizabeth Brown, who married Dr. Wm. Paine.

John married Rebecca Buffington, who died in 1837, and he then married Hannah Mackay, of Gallipolis, O. He was born in 1793 and died in 1847. He lived for a while on the farm next below the Judge Hagan farm, and in later years on the one next below, adjoining the Laidley farm.

He had several sons and daughters, none of whom remained on the farm, but removed to other parts of the country.

Mark Russell came from the southern part of Virginia and was one of the first justices of the county of Cabell in 1809. His home was on the river, on the farm next below the College, and known in after years as the Gallaher-Peage place, conveyed by Henry Hampton April 30, 1811.

He had a son, *Saint Mark Russell,* who lived on the lower side of the Guyandotte, and for many years kept the ferry there. St. Mark was a man of mark, and while he may not have enjoyed the benefit of a college education and had not much of the worldly goods, yet he was naturally a great character. He was a preacher, a lecturer, an auctioneer, mail carrier and ferryman, in fact, there were few things that he could not do and do them well. He was most happy as a lecturer, and on the subject of temperance "he was equalled by few and exceeded by none." He was always ready and never failed to entertain.

His wife was Dollie McMillan. His family were:

Albert, who married Sarah Payne, and he lives in Guyandotte.

Henry, married Miss Handly, and lived in Huntington.

Theadore, died when about grown.

St. Mark was a merchant in Guyandotte.

There were also *Elizabeth* and Alice, of whom we knew not.

Lane Family.

This family consisted of a widow and children. She lived next below the Dr. Paine farm, where the car factory now is.

One of the daughters married James Holderly and one married James Buffington; the others removed to South America and be-

came wealthy. They were from Virginia, and were good people.

Stanley, Thornburg, Burks and Others.

Solomon Thornburg, son of Thomas Thornburg, married Mary Staley in 1813 and soon after removed to Cabell and settled in Barboursville.

Stephen Stanley, the father of Mary Thornburg, came about the same time. The Thornburgs were Welch and the Staleys were Germans.

Solomon Thornburg was a merchant and farmer and often represented Cabell county in the Virginia Legislature. They came from Shepherdstown, W. Va.

Stephen Staley was a farmer and his sons were Jacob, Michael, Joseph, Daniel and Stephen.

Michael and Joseph lived next below the Lane farm. Michael was an old bachelor and a born "boss" of farm hands, and the farm, and his industry was without end.

Joseph married a Miss Hiezey, a good German woman, whose family name is kept by the name of the branch of Four Pole creek. Joseph Staley was a blacksmith as well as a farmer, and his family were attendants at Marshall Academy, at school and at church, tho' he was a Lutheran.

The blacksmith shop was generally open on rainy, bad days and the school children delighted to stop and see him make the sparks fly, and to ask many questions and get in his way, for all which he never became provoked nor attempted to drive them away.

Michael died and was buried near his home on the river bank, and Joseph and his family removed to Urbana, Ill. He had an interesting family and Calvin, his son, (not Luther), is a judge, residing in Champaign County, Illinois.

Jacob Stanley married Elizabeth Burks and removed to the Big Sandy. She was a daughter of Chas. Burks who came to the neighborhood from Virginia in later years and whose family of boys made their business on the river. Capt. Jack Harden married another daughter, and he and Bluford Burks were noted Ohio river pilots. Lewis H. Burks, of Huntington, a timber merchant of means, a son of Bluford Burks, spent several years in the C. S. A. after his school days at the Academy.

Hollenbacks.

The farms next below were held by the Hollenback families. Their names are found upon the records of Cabell county, but who they were, and when they left, we are unable to tell.

There was a Henry Hollenback and family residing on the James Holderly Four Pole farm, who attended Marshall Acad-

emy, but removed west about 1850. While they were not blessed with wealth, they were educated and refined; proud, if poor, and well respected by the community.

Holderly Family.

William Holderly came from the Valley of Virginia at an early day, and his ancestry was English. He was born on York River, Virginia. We find the name at the very beginning of the records of the county, and his residence was in Guyandotte.

His children were: James, Robert, Absalom, William, Mrs. Nancy Helverson, of Ohio; Mrs. Fanny Chapman, and Mrs. Eliza McGinnis—the two latter were the wives of Philomen Chapman and Allen McGinnis.

James Holderly became the owner of the farm on which the

JAMES HOLDERLY.

Academy was located. His first wife was a Miss Lane, and her daughter married Lieutenant-Governor Elisha McComas.

James Holderly's second wife was a Miss Lucy Wright, who was an English lady. She came with her brother Edward to Charleston from Richmond, Va. Edward was a young man and for a while, clerked in the drug store of Jas. Rogers. Mr. Holderly met and married Miss Lucy and they resided at their home, before known as the Dr. Henry Hampton farm, where Mr. Holderly built a large brick house which yet remains.

James Holderly owned a fine estate, much property in Guy-

andotte, part of which was the hotel that stood on the bank of the Ohio, and on the main or principal street in the town.

From this point, the daily stages ran to the Virginia Springs and in the summer time, was the head of navigation on the Ohio.

James Holderly for years before his death, went regularly every morning on his horse to Guyandotte, and back home to dinner, and generally did the same in the afternoon. So regular was his coming and going that it was said the farmers set their clocks by his passing and the hands all quit work and went to dinner when Squire Holderly was seen to pass down the road about noon.

The records disclose the fact that he was possessed of the ability to collect and manage a large estate outside of his farm.

His daughter, Miss Emma, married Dr. Jas. H. Rogers, of Charleston.

William and Edward became the owners of the home place, and they both left widows, to take care of them.

There were others, who died and were married. Miss Sarah resides with his sister, Mrs. Rogers.

As the other members of the Holderly family and Edward Wright's family, did not live on the Savage Grant, they do not come within the scope of this article.

As to the Academy, we resume its mention hereafter.

James Gallaher.

In Brownsville, Pa., James Gallaher was born in 1784, and he there attended school and also at Uniontown. After becoming grown he became engaged in transporting goods and trading between Pittsburg and New Orleans, using the flatboat.

Sarah Crouch was born in the same town ten years later, and in 1818 they were married. He purchased a lot in Guyandotte in 1810, and on one of his trips down the Ohio, he floated a log house to Guyandotte and erected it on his lot. He moved to Guyandotte after his marriage and settled there, going into business and remained there for sixteen years. He had a store, a tannery, shoe and saddle store, saw and grist mill, distillery and carding machine. Such enterpriser in a new country were needed and he flourished.

He was of Irish descent and of the Presbyterian faith, was a quiet, stern man, while his wife was of a happy, humorous disposition.

He purchased the Mark Russell farm, and in 1836 he built the brick house at the forks of the road, planted his orchard, or orchards, and made his home a pleasant one.

It was a custom of the Kentucky farmers to drive their stock to the Eastern markets and many droves passed along the road, of horses, mules, cattle, sheep and hogs. It was a convenient place for these drovers to stop over night and Mr. Gallaher prepared his

lots and his barn for the stock and entertained them at his house, and they depended upon him whenever they came and he was thus enabled to dispose of products of his farm.

He was thrifty, careful, quiet man, and a Whig in politics.

He had eight children, three of whom were girls:

Ann, born 1819, married R. C. Poage, and lives in Ashland, Ky.

Eliza, 1820-1856, married T. L. Jordan in 1855.

George, 1822-1900, married and moved to Benton County, Mo.

William, 1824-1893, married and moved to Benton County, Mo.

James, 1827-1895, married Mary Johnson, died in Huntington.

Sarah, 1829-1895, married J. H. Poage and remained at old homestead.

Thomas, 1832-1864, was a teacher and lived and died in Ashland.

John, 1837, married Drusilla, daughter of Edward Wright, lives in a village that bears his name, near Huntington.

Nearly all of these children were educated at the Academy, and Mr. Gallaher was one of the trustees of said Academy and interested in the school and in the support of the minister that preached there. He was strict in the observance of the Sabbath and enforced his views at his house. He is said to have resembled in appearance Pope Leo XIII. His family did not partake of his stern character but was as full of mischief and fun as most of men. We must mention Thomas, who took a great interest in the Academy and never failed to attend the closing exercises long after he had ceased to be one of the students, and his encouragement, his humor, and his interest made him a favorite with all the scholars, and to be with "Tom Gallaher" was the fullest of their ambition.

Miss Lou K. Poage of Ashland, has our thanks, which she may read "with her own eyes."

James Johnston.

James Johnston married Martha Logan in 1817, in County Antrim, Ireland, and in the same year sailed from Belfast and landed in Quebec after a stormy voyage of thirteen weeks. They spent the winter in Montreal and came to Pittsburg in 1818, and in 1820 came down the Ohio in a flatboat to Burlington, Ohio, and settled in Cabell county in 1821 on the farm on which they lived the rest of their days and which is yet in the possession of their children.

Their oldest daughter, Elizabeth, was born in Montreal, and she married John B. Hite, of Guyandotte.

William, John, Sarah, Marcella and Martha were born in Cabell, and the most of them attended school at the Academy. They were of the Presbyterian old school theology, and were all of the best class of people, industrious and honest as the day was long.

..*William* was a carpenter and farmer, he left a widow and several children, the oldest, James Johnston, married first Miss Anna Laidley of Charleston, daughter of Jas. M. Laidley.

John L. Johnston married Miss Kincaid of Ashland, Ky. He was a farmer until the days of Huntington came, when he, with Geo. S. Laidley conducted a large grocery establishment. Marcella married Albert Poage, son of James Poage, and they resided in La Grange, Mo.. They left one daughter, Miss Alberta, who lives with her aunts and to whom we are indebted for much aid herein.

Miss Sarah and Miss Martha Johnston reside at their home where they were born and raised.

We can not resist the inclination to mention William and Eliza Kyle, who were raised by the Johnstons and who were educated at Marshall Academy. William has departed this life. Miss Eliza resides in Cincinnati, Ohio, whom we remember as one the loveliest girls that ever attended old Marshall—and this is saying a great deal, for they were many that were regarded lovely and charming by various persons, as these records will show. She had however never shown her appreciation of any of the Academy boys—she is yet single. Once upon some occasion there were quite a number of people in the vicinity at Mr. Gallahers, waiting for a storm to pass, and when about to depart, some one asked Miss Marcella Johnston to go home with them when she replied, "that if she went anywhere, she was going to remain there." Mr. Laidley remarked that anyone could tell that she was from Ireland.

Jos. Negley.

Joseph Negley and Hannah his wife, with Ellen, Benjamin and Frank, their children, came to Cabell county in 1834, from Philadelphia, and purchased the farm just above the mouth of Four Pole, on the Ohio river, which was then called "the Toney place."

When Wayne county was formed, by Act of Jan. 18, 1842, its boundary was mentined as running from the mouth of Four Pole, thence with a straight line to the mouth of Long Branch, so as to include the house of Asa Booten, etc., going on to the Tug Fork of Big Sandy and down the same to the Ohio river and thence to beginning. Joseph Negley, John Welman and Burwell Spurlock were appointed to run and mark the lines between the counties.

The said children attended school at the Academy and the family were welcomed by all in the vicinity. They remained until 1848, when they returned to Philadelphia and their farm was sold to William Williams, Esq.

Alex. Pine.

Alexander Pine lived on his farm next below James Johnston,

and they came from Virginia by way of Logan county. He had on Four Pole a small saw and grist mill, and on every Saturday there were many persons there to get their corn ground. We remember when quite a small boy we were placed on a bag of corn from home and we had never been that far down the road, but we found it and had the corn placed in its turn to be ground, and there were many before us to be waited on, which kept our patience on the stretch, but before night we were at home, all right with the meal and of course was questioned as to our success, and when asked, said there were *one thousand horses there,* not having been able to count them made an estimate by way of a guess, and when being assured that there could not have been so many, we came down to "four hundred anyhow," and still being incredulous, we continued to come down until reduced to ten!

"Uncle Alex." was a kind hearted old man, with good natured boys and girls, and they all removed to Texas in 1859. They did not attend school at the Academy, and there was a small church near them which they attended.

Martin Hull.

Martin Hull was on the Savage Grant among the very first, and it is said was here in 1800. He married Susan Buffington, and they had a son, James Hull, who lived at Round Bottom on Big Sandy, where hemarried a Miss Smith. Martin Hull married again and raised a large family, and they all went West. His last family did not attend the academy. He was regarded as an honest, upright old man and respected for his age.

We remember his son John, who used to play the violin when the young people had a dance, and if there was any music in them, his violin brought it out.

James and William Poage.

'Tis said these brothers came from Greeup county, Ky., to Cabell. All the Poages must have originally come from Augusta or Rockbridge county, Va., and from thence westward, some to Greenbrier county, some to Kentucky.

Lot No. 34, assigned to Timothy Conway was decreed to Jas. McCormick. Nos. 15 and 18 to John Poage. Whether there was any connection between these Poages we know not.

Cyrus and J. Harvey Poage, of Ashland, Ky., was related to Jas. and William Poage, but we are unable to locate John Poage. Anyway, James and William came to Cabell county and they found two Misses McCormacks, Jemima and Ann, and James married Jemima and William married Ann, and William lived on the farm next below Martin Hull's and James just below William, his brother, then they each erected good brick houses and raised large families.

Previous to 1850, they sold out and moved to Lewis County, Missouri. James had two sons, Albert and Julius, and a daughter, Jane. Albert married Marcella Johnston, and Julius married Sally E. Laidley. Albert was on the fatal steamboat that took fire on the Mississippi, while they were going to Texas, and he and his father, and wife of Julius were lost. Jane lives in Oakland, Cal.

William Poage died and his family afterwards removed to Missouri. There were two sons, Henry and Frederick. The daughters were Amelia, Jemima, Sophornia, Fanny and Lucretia.

All the Poages were Presbyterians, and they all attended the academy and the chapel in the academy, and they were all well to do farmers, well educated and well trained, especially in the Westminster confession of faith, and of course they were good people.

We are not able to say which of them are alive or where they reside, if alive. While they lived in Cabell they did much to maintain the church and the school at the academy.

Beuhring Family.

Frederick George Lewis Beuhring came from Germany when quite young and first settled in Baltimore and was there associated with Frederick Konig, wholesale merchant, importer and shipper. He married Francis Eleanora Dannenburg, a niece and ward of Mr. Konig, and sooner after his marriage, he settled in Cabell county, locating at Barboursville, and was there for several years engaged in merchandising, and afterwards purchased the Nathaniel Scales farm, known as "Maple Grove," and moved thereon in 1836. Where he resided until his death in 1859. He was well educated, and had traveled much abroad while with Mr. Konig, having visited many foreign ports and cities, and his manner was that of a courteous, polite, genial gentleman. He was exceedingly active and energetic, and carried on besides his general farm work, that of shipping tan bark, staves and soforth, keeping on hand a commissary of goods, groceries, meats, &c., with which to supply his employes. He took an active interest in all public matters and was frequently elected by the people to the Legislature and other offices of trust, and was a member of the County Court. The Miller family of Barboursville will always remember him with feelings of gratitude for his kindness and benefaction.

His family were three girls and one boy, viz: Anna Maria, 1821, educated at Pittsburg. She married Jas. M. Laidley and removed to Kanawha, where she lives with her children.

Louisa Mayer, 1825-1872, educated at Steubenville, married

James H. Brown, and after a few years removed to Kanawha county.

F. D. Beuhring, 1828, the only son, spent several years in Germany and in California, and then settled on his father's farm and has engaged in farming and fruit culture.

Emma Adelaide, 1832, educated in Baltimore, married Howell L. Lovell, went to California, and after several years returned and settled in Kentucky.

After the death of Mr. Beuring in 1859, the farm was sold to Chas. T. Everett, a son in law of Isaac Frampton, and afterwards to C. P. Huntington, and at this point began the city of Huntington, which was known at first as "Oley's Landing," Gen'l Oley being in charge of the sale of lots in said city at its inception. The lane from the river to the hill, being adopted at the river as Seventh street, a point mentioned in the original partition in 1775.

Levi McCormick.

There were three soldiers of 1754, John Maid (or Meade) Jas. Ford and Timothy Conway that were entitled to each four hundred acres of land in the Savage grant, and they sold their shares to James McCormick, who lived in Frederick county, Va.

The McCormick family were Scotch, and James married Phoebe Stewart in 1814, and soon after, he and Moses, his brother, made their way over land through Cumberland to Brownsville on the Monongahela river, where they procured a flatboat and they came down the Ohio.

The lots assigned to said soldiers was Nos. 32, 33 and 34, which included the mouth of Twelve Pole and Four Pole and all the land between them. Moses returned to Frederick county.

Levi was the son of James McCormick and brother of Mrs. Jemima and Ann Poage. He resided at the house built by his father and had eleven children, all of whom removed to the west, except Joseph, who remained at home and who now resides at Huntington, and is seventy years of age. "Uncle Levi," as he was called, was one of the first justices of Wayne county, was a fine looking old gentleman, was jovial and kind hearted and beloved by all.

Morgans Bottom.

From the mouth of Twelve Pole creek to Big Sandy was generally spoken of as Morgan's Bottom.

The lots Nos. 28 and 29 were assigned to Chas. Morgan and were the shares of Jno. Houston and Christian Bumgardner. If any of the family ever lived thereon we never heard of it. The decree mentions the names of the heirs of said Morgan, but they were strangers and were supposed to reside in Pennsylvania.

Thos. L. Jordan owned the farm next below the mouth of Twelve Pole, and this was the farm that formerly was owned by Thomas Kilgore, and purchased by Jordan in 1852. Mr. Jordan sold to Eli Thayer, of Massachusetts, who, with the purpose of making the same a manufacturing city, laid out the town of Ceredo in 1857 and its growth was interefered with by the war.

John Rogers died May 26, 1815, and was buried on the river bank near the upper line of Laidley farm. *Who was John Rogers?* He owned a lot in Guyandotte and was a surety on the bond of Harry Brown, sheriff. Lot No. 31 of Savage grant was assigned to Achilly and Mildred Rogers, but we can tell no more. He evidently had property and some one erected a stone to his memory, *but he is forgotten.*

Other Families.

Of course there were other families that lived in this locality, but some of them moved away and have been forgotten; others came later, and are not within the scope of this article. There were the Handlys, the Framptons, the Williams, Capt. Samuel Johnson, and his brother, Alexander Johnson, Dr. P. H. McCullough, Charles T. Everett, and others, besides many other good people that did not purchase within this locality and it is only intended to tell of those regarded as the early settlers and owners of lands in this locality, and is not a history of all the people that resided therein. This would take more space than we are allowed.

Capt. Sam W. Johnson purchased in 1849. Williams purchased the Negley farm later. Isaac Frampton purchasing next above Levi McCormick's and took a notion to buy all that adjoined him that was for sale, and had not death come to him there would have been no telling what he would not have owned, probably all that the Buffington's did not own.

Slaves.

While it was true, that at any time the slaves residing on the farms could have crossed the Ohio river, and could have escaped to Canada, or elsewhere, and would have been free to do as they wished, there were few that left, comparatively.

Col. William Buffington had some ten or more, Mrs. Hagan two or three, Mrs. Doctor Buffington as many, Mrs. John Laidley a half dozen, Dr. Paine two or three, P. C. Buffington four or five Jas. Holderly near a dozen, Mr. Beuhring four or five, and Dr. Brown five or six.

So far as we know there was none below this part of the neighborhood.

There were numbers that were set free by their masters, and one we will mention, was "Uncle Sam," who belonged to Mark Russell. He and his wife, "Aunt Dinah," came from Mecklenburg county and knew all about the tobacco crop, and the cornfield after the death of Mr. Russell. They lived in a little cabin on the farm of John Laidley, and from Uncle Sam everyone could secure sweet potato seed in the spring time. He was a faithful old man, was without fear or superstition, while his wife was as faithful but was a real African, with many of their peculiarities.

Dr. Brown set free "Uncle Edmund" and "Siller," for their faithfulness. And "George," the servant of Mr. Beurhing, was one of the best of men.

At Squire Holderby's there was "Uncle Rich," who had control of the farm, a faithful, good man, and "Uncle Goodwin," and "Alvrey," the driver of the cattle. "Uncle Rafe," at Col. Buffington's, was the director of boys, all colored men trusted in charge of the farms.

There was a custom of the colored people to collect on Sunday afternoon at the cabin of "Uncle Sam," and one, old "Uncle Tom," from Colonel Everette's would preach to them, and when they all sang some of the old tunes, they made music such as is rare to listen to.

There was never an cruelty known or allowed to slaves. Occasionally when some one run away, it was from a desire to be free to do as they pleased, not that their lot was a hard one.

We feel disposed to relate a true story on this subject:

One boy, was the driver of the carriage, and waited on the table and was kept about the house, taught to read and was "smart as a tack." When nearly grown he concluded to leave and went to Cincinnati, and was there employed in the barber shop at a hotel, and was known there as the "run-away-boy." A number of men once concluded to question him, and said, "Bob, were you well treated at home," and he assured them he received little better treatment than the children of his master did. "Did you have enough to eat?" and he told them he had the same that the family had. "Did you have clothes sufficient?" and he told them he was the best dressed boy in the place and wanted no more. "Well did you have hard work to do?" and he gave them to know that he was most of the time riding around the country in a carriage; in the house listening to the talk of the family and visitors, and had no disagreeable work to do whatever. Then they said, "If you were well fed, and well clothed, had little to do but drive the carriage, and were well treated, why in the thunder did you leave, what more did you expect elsewhere?" Bob said, "Gentlemen the place is open, and if any of you want it, no doubt it can be secured."

Marshall Academy.

OLD PICTURE OF ACADEMY.

Standing in a field, in front of the residence of Col. Peter C. Buffington, about one-fourth of a mile from the river bank, stood an old log house, which in the early days was called Mt. Hebron, and which was used for a school as well as a church.

Mr. J. N. Peck seems to have been the first teacher that can be recalled, and under him it grew to such importance that he secured the services of an assistant in the person of a Mr. Shepherd. Then it became apparent that a better building was necessary to meet the demands of the school. John Laidley took the lead in securing an interest, and succeeded in obtaining all that was then required. James Holderly sold to them one and one-fourth acre of land for $40, and conveyed it to the trustees by deed dated June 30, 1838, in which it is stipulated that it was for school purposes and none other. The Legislature of 1838 enacted that Benjamin Brown,

F. G. L. Beuhring, James Gallaher, John Laidley, William Buffington, John Samuels, Richard Brown, Benjamin H. Smith and Geo. W. Summers were made a body politic in the name of "The Trustees of the Marshall Academy," to be located in Cabell county, all of whom lived in the vicinity except John Samuels, who was the clerk of the courts of Cabell and resided in Barboursville, and Col. B. H. Smith and Geo. W. Summers, were attorneys residing in Charleston.

A two-story brick building with four rooms was erected, and the lot fenced and a good well was dug. Messrs. Peck and Shepherd were the first teachers to occupy the Academy, which was named after Chief Justice Marshall, with whom said Laidley and probably others of the trustees were acquainted.

In a letter dated Feb. 19, 1901, from New York, Jacob Harris Patton writes, "I spent about fourteen months at Maple Grove, when I was Principal of Marshall Academy, Sept. 1839-1840. I look back even now with pleasure to that period of my life. I left in the autumn of 1840, and reached Nashville, Tenn., in November, and was appointed Tutor in Nashville University."

The next we hear of was Rev. Josiah B. Poage. He was born in Pocahontas County, Virginia, in 1813, and when four years old was taken to Greenup County, Kentucky. He attended Lane Seminary in 1834-5, Marietta College 1835-6, and graduated in 1840, and afterwards graduated at Princeton in 1842-3, and in that year, 1843, took charge of Marshall Academy. He met Frances Arbuckle of Kanawha Salines at Presbytery, and they were married in 1844. He had students from Kentucky and Ohio, and from the counties of Cabell, Wayne, Mason, Greenbrier and others, of Virginia. He remained until 1850, when he removed to Missouri. He was followed by Henry Clarke, Joseph Foster, and Rev. H. B. McFarland. In 1854, Prof. W. R. Boyers took charge, with J. F. Stewart, Miss Hanna and Miss Scorill as assistants. He remained until 1858, and Prof. B. H. Thaxton took charge.

In 1858 the Legislature made a College of the Academy, and the trustees were principally of the Methodist persuasion, and which placed the school under the control of the M. E. Church South, but the act prohibited the establishment of a theological professorship in said College. The trustees were, Revs. Samuel Kelly, Staunton Field, S. K. Vaught, Geo. B. Poage, C. M. Sullivan, Wm. Bickers, J. F. Medley, R. A. Claughton, W. H. Fonerdon, S. F. Mallory, G. L. Warner, and the following laymen: F. G. L. Beuhring, Peter C. Buffertton, C. L. Roffe, J. H. Poage, Dr. G. C. Ricketts, John W. Hite, St. Mark Russell, Dr. P. H. McCullough, H. H. Miller, and T. W. Everett.

After the close of Professor Thaxton's time, there were schools kept by Rev. Staunton Field, Professor Thrush, and Rev. Mr.

Brown, which brought down the time of school to the beginning of war time.

After the school kept by Rev. Mr. Poage, the attendance was very good under Rev. Mr. McFarland who had assistants.

Mr. Joseph Foster also had a large school with assistants, and Professor Boyer's school was well attended.

In Sept. 1856, the exhibition held, shown by a program found, was given in which the following names appear, viz: A. B. Wolcott, John A. Ewing, John W. Buffington, A. G. Ricketts, S. C. Heltbruner, G. S. Laidley, Asa Kimball, B. Forgey, Jas. H. Laidley, Jos. N. Hampton, W. P. Holderly, L. H. Burks, Jas. G. Peck, W. S. Laidley, F. R. Moore, J. F. Stewart, J. B. Wellman and W. O. Hampton.

We cannot resist to mention Jas. D. Sedinger, W. C. Williams, J. M. H. Beale, John Hall, Peter Couch, Mart Kouns, the Framptons, Stewarts, Johnsons and others, besides Miss Cleora McClung, Eugenia Schultz, Lizzie Payne, Isa McCullough, Eliza Kyle, and others, the memory of whom still lingers in the mind of the writer.

It was a custom with most of the teachers to close the session with an examination and at night an exhibition, to which the people and patrons were invited. Perhaps this had an eye to business and the next session.

The exhibitions were crowded, the room was decorated with evergreen and a stage with curtains improvised, and the entertainment was made up of music, speeches and dialogues, by the scholars. These occasions were made delightful by the associations, but the lonesome feeling that followed, when they had all gone home to a quiet job of husking corn, made life tedious for a while.

Now, when we look back and recall such times and note how few of those that lent their presence to the attendance of the school and Chapel are yet on the active side of life, it seems like relating a pleasant dream, and we wonder, will be ever again meet them?

The Chapel.

In the old Academy there was set apart one room for public worship, which was well filled each Sunday morning with the families of the neighborhood from Col. Wm. Buffington, down to Four Pole creek.

Rev. Mr. Thom and Rev. Mr. Poage were Presbyterian ministers, and this church was organized by the Rev. Jas. M. Brown of Charleston, in 1838, who continued his annual visits to the community for many years and he was greeted as warmly and entertained as hospitably by the Methodists as he would have been, had he been a bishop.

The Chapel was generally occupied on alternate Sundays by the

Presbyterians and Methodists, but whichever it might be, the congregation was the same, and they were all there.

After James H. Poage came to the neighborhood, he became the leader of the music which was of the congregational style, as there was no choir, but they all joined in heartily and well. John Laidley, while he had no musical talent, made his voice heard, and to the best of his ability, while Mr. Beuhring had most too much music and generally sang about three parts, in each verse.

The ministers were generally more than the ordinary, as such. Dr. Baylis, of Kentucky, was regarded one of the best of Presbyterians, and Burwell Spurlock of the Methodists.

It has been published that the Academy was established by the Presbyterians, but the statement is incorrect. It appears that the families residing above the Academy were Methodists, the most of those below the Academy were Presbyterians, and the latter probably the most numerous. There were at some times, a few Episcopalians, but there was no services of this church, and they, as did the entire community, without regard to sect, service or minister, all worshipped together at the Chapel in the Academy and never was there a community in which the differences of churches or the mode of worship had as little to do as here or where the spirit of Christ, if not unity, existed in sincerity as here at the old Academy. Perhaps the fact of the intermarriages, and in some families would be found members of more than one church, and the neighborly feeling that existed, made the communion close. This state of affairs forbade the spirit of high church, in any of the churches or in individuals.

City of Huntington

Was laid off on the lands from the farm of Captain Johnston to the Guyandotte river, the center of which is on the Scales-Beurhing farm.

The construction of the Chesapeake and Ohio Railway lead to its founding and no better location for a city could have been found, but it has swallowed up the old time neighborhood, in the march of time.

LATE PICTURE OF MARSHALL COLLEGE.

A REVOLUTIONARY HERO.

BY G. L. CRANMER.

During a recent visit made by the writer to the rooms of the Delaware Historical Society at Wilmington in that State among many other interesting curiosities which claimed his attention were the shoulder straps and military sash which were worn by Major Robert Kirkwood on that fatal field where the army of General St. Clair was defeated by the Indians in the month of November, 1791.

The sight of these mementoes suggested the idea of collecting such data as bore upon the revolutionary life of this worthy and distinguished soldier and patriot in which we have not been altogether unsuccessful, but have secured enough to give a general idea of the deeds and character of the man upon which as upon a firm foundation rests his enduring fame and reputation.

Robert Kirkwood was born in Mill Creek Hundred on a farm near to White Clay Creek Church in the State of Delaware.

At the outbreak of the Revolution he was living with a married sister in Newark, Delaware, and was engaged in mercantile pursuits.

He abandoned his business before the formal declaration of war which at the time was threatened and enlisted as lieutenant in Col. John Haslet's regiment, which was mainly composed of members from the counties of Newcastle and Kent. This was in the month of January, 1776.

A few days after the reception of the news of the passage by Congress of the Declaration of Independence orders were received for his regiment, then at Dover, Delaware, to march and report at the headquarters of the army which were then located at New York. Upon its arrival there, it was brigaded with four Pennsylvania regiments and Smallwood's Maryland regiment.

On the twenty-seventh of August, 1776, young Kirkwood received his first baptism of fire in the disastrous battle of Long Island where he showed conspicuous gallantry. The loss of his regiment in this battle amounted to thirty-three killed including two officers.

The next general battle in which he was engaged was that of White Plains, followed by that of Trenton, which latter occurred on Christmas day, 1776, where the British loss in killed, wounded and missing amounted to nine hundred men. Nine days after this occurred the battle of Princeton, where the Colonel of his regiment was killed.

Under a resolution of Congress the quota of the State of Delaware was fixed at one battalion consisting of eight hundred men.

The regiment known as Haslet's regiment was never reorganized after the battle of Princeton.

Of this new regiment, Capt. David Hall who had been an officer in the disbanded regiment commanded by Haslet, became the Colonel, and Lieutenant Kirkwood became a Captain, and his company was mustered into the service on the first day of December, 1776. The regiment joined Washington's army then in the Jerseys in the spring of 1777, and in September of the same year they were engaged in the battle of Brandywine, and in October following in the battle of Germantown, also in that of Monmouth.

In 1778 and 1779 they were actively engaged in operations in the Middle States.

In April, 1780, his regiment together with the Maryland troops was ordered South, and were assigned to the command of Baron De Kalb. The following description of the appearance of these troops as they passed through Philadelphia on this march is taken from the letter of a lady who was a witness of the same, and was written at the time:

"What an Army said both Whig and Tory as they saw them. The shorter men of each company in the front rank, the taller men behind them, some in hunting shirts, some in uniforms, some in common clothes, some with their hats cocked, and some without, and those who did cock them not all wearing them the same way, but each man with a green sprig emblem of hope in his hat, and each bearing his firelock with what, even to uninstructed eyes had the air of skillful training."

The first battle in the South in which Kirkwood's regiment was engaged was that of Camden into which it went five hundred strong, and came out with only one hundred and eighty-eight. In this battle his regiment was placed in the front division as were the Marylanders. They maintained their position with noble intrepidity until the retreat was ordered undismayed by the conduct of the panic-stricken condition of the Virginia and North Carolina militia. Both the Colonel and Major of his regiment were taken prisoners and sent to Charleston, South Carolina, where they were paroled, but never exchanged.

After this battle the Delaware regiment was reduced to less than two companies. This shattered remnant was placed under command of Captain Kirkwood as senior Captain, who commanded it until the close of the war. DeKalb with his dying breath showered benedictions on the brave men for their stern courage and unflinching gallantry in the fierce tide of battle, and even Cornwallis, Rawdon and the bitter and cruel Tarleton praised their constancy and valor.

It was at the battle of Cowpens with the aid of cavalry that Kirkwood's command saved the day. He relied much upon the use of the bayonet and amid the roar of the battle he would shout

in stentorian tones, "Give them the bayonet, boys!" An eye witness of this last mentioned fight wrote as follows: "Captain Robert Kirkwood's heroic valor and uncommon and undaunted bravery must needs be recorded in history through the coming years!"

At the second action at Camden which terminated unfavorably to the Americans, Kirkwood and his command showed the same indomitable spirit which characterized them in all previous encounters. General Greene who succeeded to the command after the death of the lamented DeKalb said, "The extraordinary exertions of the cavalry, *the gallant behaviour of the light infantry commanded by Captain Kirkwood, and the firmness of the pickets* rendering the advantage expensive to the enemy, highly merit the approbation of the General and the imitation of the rest of the troops." Also in his report to the President of Congress after the battle of Eutaw Springs, General Greene speaks in highly laudatory terms of Captain Kirkwood and his command. The battle of Guilford Court House, Waxhan and Ninety-Six were all scenes of his heroic fortitude and matchless bravery.

Wherever danger called or disaster threatened, there Kirkwood and his little band of faithful Delawareans were stationed. The battle of Eutaw Springs was the last in which Kirkwood and his command participated and this was virtually the end of the war, as Cornwallis had surrendered and there was but little, if any fighting afterwards. On the 29th of October, 1781, a resolution of thanks was passed by Congress in which the services of the Delaware battalion were specially recognized.

The State of Virginia recognized and appreciated his services by making a grant to him in 1787 of two thousand acres of land in the North West Territory, the grant being in what is now the State of Ohio.

He married a Miss England of White Clay Creek Hundred in New Castle County, Delaware, by whom he had issue two children, a son and a daughter. Joseph, the son, removed to Ohio and Mary the daughter married a gentleman of Dorchester County, Maryland. She died in 1850. Joseph, his son, married Margaret Gillespie in 1806, and during the same year removed to Ohio. They had issue, one son and eight daughters.

Major Kirkwood's commission as First Lieutenant of Delaware State troops is dated January 13, 1776, and is signed by John Hancock, President of Congress, and by Charles Thompson as Secretary. His brevet Major's commission is also signed by the same persons and is dated September 30, 1783. Both of these commissions are in the possession of one of his descendants who resides in St. Clairsville the county seat of Belmont County, Ohio.

He was engaged in thirty-two battles during the war of the Revolution. At its close he returned to Delaware and established himself in the mercantile business at Cantwell's Bridge, and occupied

a house which is still standing, or was not long since, which is situated east of the Old Tavernhouse. In 1785 he moved to St. George's, Newcastle County, which is situated about one mile south of Kirkwood, a station on the Delaware branch of the Philadelphia, Wilmington and Baltimore Railroad. He remained here but a short time when he removed with his family to what is now Belmont County, Ohio, and located on the Ohio river immediately opposite the present city of Wheeling, where he built his cabin, cleared the land and commenced farming. Subsequently he commenced the erection of a blockhouse, but before it was completed in the early spring of 1789 a large body of Indians attacked his cabin during his absence in the East on business. It happened that at this time Capt. Joseph Biggs with his company of scouts and others were in the cabin sheltering there. The savages fired the cabin and thus sought to drive the inmates out, expecting that they might fall an easy prey to their murderous ferocity. Those within, however, kept the fire in check with milk, water and damp earth. Finding themselves foiled the Indians then attempted to burst in the door which had been firmly barracaded, in which they failed.

The rapid exchange of shots between the beseigers and the beseiged was heard at Fort Henry (Wheeling). The swivel gun in the fort was fired notifying the besieged that succor was at hand.

The savages accordingly relaxed their efforts, and made preparations to depart, knowing full well that the inmates of Fort Henry would soon appear and that they would suffer from an attack in the front and rear. Hence they promptly gathered their dead and wounded and hastily retreated. Five of the defenders were severely wounded—one of them mortally. The wounded were Captain Joseph Biggs, John Walker, Elijah Hedges, John Barrett and Joseph Vanmetre. Walker, who had been shot through the hip during the siege died the following day at Colonel Zane's cabin in Wheeling where he had been transferred. He was buried in the old cemetery which then occupied the site of the present residnce of Gorge K. Wheat, Esq., on Main street in the city of Wheeling.

When the army was organized under the command of General St. Clair to march against the Indians of the northwest, Kirkwood volunteered his services, and was commissioned as Captain. The rendezvous of the army was at Fort Washington (Cincinnati), from which place it took up its line of march on the 17th of September, 1791. It camped at Ludlow's station for two weeks about six miles from Cincinnati. There was a tree standing there as late as the year 1837 with the fact and date of the encampment carved in the bark. They were delayed in their progress by the construction of several forts which were duly garrisoned and provisioned.

On the night of November 2d the army encamped near the Great Miami Village, and on the following morning were attacked by the

Indians in great force which resulted in the defeat of St. Clair and the scattering of his forces. Of the distressing scenes witnessed by him on this occasion Lieut. Michael McDonough wrote as follows: "We left everything behind, eight pieces of cannon, cattle, horses, flour, officers' and soldiers' baggage, officers private property, in cash supposed to be of the value of ten thousand pounds, besides all their clothing. We retreated day and night for this place (Cincinnati), which is ninety-eight miles, arriving on the 8th inst. The number of non-commissioned officers, musicians and privates who fell on the field were upwards of six hundred. More than sixty women were killed and I saw some of them cut in two, their breasts cut off and burning, with a number of our officers on our own fires before I left the field of action. I saw Captain Smith just after he was scalped, his head smoking like a chimney. Some soldiers have come in with all the skin and hair taken close off their heads."

The regiment to which Kirkwood belonged consisted of two hundred and fifty-eight, commissioned, non-commissioned officers, and privates. One hundred and eleven of whom were left after the battle and forty-two of these were wounded. But two offiers, McDonough and Bissell survived. Out of twelve hundred, nearly eight hundred officers, men and women were killed and wounded.

Thus ended the days of a brave and gallant officer who gave his life for his country after having passed unscathed through thirty-two battles during the stormy period of the revolution leaving as a legacy to his countrymen an untarnished name and a memory fragrant with noble deeds and chivalrous impulses.

THE RUFFNERS.

III: DAVID, FIRST ARTICLE.

BY DR. W. H. RUFFNER.

Of all the Ruffners David most strongly impressed himself upon Kanawha county. For about forty years his big brain and muscular arm led in a multitude of important enterprises both economic and moral. His mind was characterized by originality and activity,

his energy seemed tireless, and his philanthropy and public spirit, especially in the latter half of his Kanawha life, seemed to dominate even over his private interests.

David was the eldest son of Joseph, was born in 1767 on his father's farm on the Hawksbill creek, near Luray, and there lived until 1796, the year of his removal to Kanawha. His mental grasp of subjects above and beyond his natural environment and his independence of character were early shown by his emergence from the established customs and prejudices and old-fashioned German community. The people among whom he lived in early life generally wanted no innovation of language or usages that could be avoided; but Joseph Ruffner's great road-wagon plying between Shenandoah and Fredericksburg had a somewhat liberalizing effect, especially upon himself and family. David was naturally a lover of books and his desires soon went beyond the scanty knowledge to be acquired at the neighborhood German schools, which were kept for exactly the three winter months. He was in his early youth sent for four terms to the German school, and was greatly interested in the elementary knowledge there acquired. He next studied one winter with a teacher who tried to teach both German and English. He also availed himself of the kindly assistance of the Scotch merchant Mundell, who conversed with the young German in English, and recommended books to him. By the time David was 18, he had an English library consisting of a spelling book, a New Testament, Eop's Fables, and Bailey's English Dictionary. The last he found especially useful. This was an extraordinary library for a young Dutchman in those days, situated as he was, and what gave him still greater distinction, he subscribed for the Fredericksburg Herald. very soon he got Johnson's Gazetter and other helps. He was now fairly launched on the sea of world-wide knowledge. Before he was 23 years of age he was appointed justice of the peace for Shenandoah county—no small honor in those days of intelligent and high-toned magistrates. This was the beginning of his magisterial career, which with but little intermission continued to the day of his death, 53 years later.

In 1789 he was married to Ann Brumbach, daughter of Henry Brumbach, a Mennonist preacher, who owned and lived upon the beautiful farm four miles west of Harrisonburg, Rockingham county, which afterward became the property and residence of the eminent Judge Daniel Smith. This was a happy marriage. The sweet face, deep blue eyes, and gentle temper of the wife softend the sterner, and developed the more amiable qualities of the husband; forming as harmonious a combination as was possible between man and wife. She ultimately became the well-known and greatly beloved "Mother Ruffner" of Kanawha salines, and lived to a great age.

In the distribution of cares and labors in Joseph Ruffner's large

Hawkbill establishment, the mills were assigned to David. Here were ground wheat, rye, corn, oats, buckwheat and barley. Here the "Mountain Schooner" obtained most of its cargo for Fredericksburg. Here was sawed the lumber for the local carpenter, the wagon-maker, the chair-maker, cabinet-maker and agriculturist implement makers.

Miller David had his hands full, but he was very strong, and could swing three bushels of wheat or a barrel of flour into the wagon without much strain upon his muscles. His dwelling house stood near the mill and was standing in 1880, though reduced in size by the removal of the rear shed which extended the whole length of the house. In this house were born his son, Henry, and after intervals of two years, were added two daughters, namely: Ann, who long afterward married Dr. Richard E. Putney and became the mother of all the Kanawha Putneys, and Susan, who married Moses Fuqua, who farmed and made salt on the Kanawha for a few years, and afterward removed to Missouri. Both of these men came from Buckingham county, Virginia, where many persons of both names are still to be found.

But the time for breaking up Joseph Ruffner's establishment in Shenandoah came in 1795. So large a business as his could not be wound up suddenly, and hence his son, David, was left in Shenandoah after the rest of his father's family had gone to Kanawha. A year later, however, namely in 1796, he followed his father to Charleston and moved at once into the Clendennin block-house. There his son Lewis was born in 1797—the first child born in Charleston. There David went to clearing and farming the rich bottom land at the lower end of the Charleston plain, and continued so to do until he removed to the Licks after his father's death. I suspect it was he who built the little grist mill or "Corncracker" on Elk river, which was put up in his day: in fact the tradition is that this, the first mill in Kanawha that I know of, was put up by the Ruffners.

David's portion of the estate of his father, who died in 1803, consisted of the lower third of the Charleston bottom, lots in the town, and one-fifth undivided interest in the front bottom of the Dickinson survey, on which part was the Salt Spring. The spring was on the river bank, fifty feet fro mthe upper corner of the survey—a significant fact to remember.

Of the five brothers to whom the Salt Spring tract was devised, David was the only one who was wholly and unchangeably imbued with his father's views as to the practicability of obtaining a large and profitable supply of strong brine by sinking a well into the rock beneath the bottom soil. This weak faith of some was not to be wondered at considering the poor show made by the so-called spring, the manifest difficulty of sinking a deep well, and the uncertainty of the result. David, who in business always went for the

sure thing, and Abraham, who seemed to believe in nothing but good farming land, both traded off their interests in the Salt Spring tract.

Whether David bought directly from these brothers or from a third party, it is certain that he very soon acquired these two interests. Tobias took some part in the subsequent drilling experiment, just how much is not shown in any memoranda I have been able to obtain; but he finally agreed to accept as his share a slice of ground off of the lower end of the tract. On this he and his sons ultimately made salt and afterwards sold the property to Jno. D. Lewis. After Tobias had been set off, David and Joseph remained as the sole owners of the Salt Spring tract. These two brothers were resolved to determine at any cost whether good brine could be obtained by sinking a well. The natural difficulties were very great, but in addition they were confronted with the hard terms of their father's original contract with Dickinson, whereby in case of the small product of fifty bushels of salt per day the price was to go up from 600£ sterling which had been paid to 10,000£ the residue of which must still be paid.

But the two brothers discovered a mode of escape. There was a body of land owned by George Alderson, adjoining the Dickinson survey on the upper side. They bought the bottom land of this Alderson tract and thus acquired all the territory from the thoroughfare gap to a line crossing the bottom a little above, and hence including the site where now stands the town of Malden. This tract was purchased in 1805, price 500 pounds.

In preparation for removal of his family, David built a dwelling house on the Alderson land, which became the permanent residence of his family and that of his son Lewis, and which is still the home of some of his descendants. The same year (1805)he sold part of his farming land adjoining Charleston to Chas. Arbuckle and John Mathews, and not long afterwards changed his residence to the new home. His brother Joseph, then a bachelor, took possession of the Alderson dwelling house, soon after Alderson's death.

All this was in preparation for the great experiment of searching for a larger and richer supply of brine. The brothers fixed upon the lower corner of the Alderson tract, which was only about fifty feet above the Salt Spring, as the site of the proposed well, thus avoiding the large payment to Dickinson in case of their success. The marvellous labors and difficulties, the development of inventive genius, the unflagging faith, and the unconquerable energy displayed by David and his brother Joseph, have been fully described at first hand only by Henry Ruffner, son of David, who as a youth of 17 was not only a witness of the whole operation from beginning to end but himself took an active part in the labors. This description has never been published although written apparently with a view to publication. It has, however, been read by a num-

ber of intelligent gentlemen, among them Dr. Hale, who in his very valuable history of salt making on Kanawha incorporate a number of details which he obtained from Dr. Ruffner's manuscript, as he states. I will give a brief outline of this remarkable operation, taken chiefly from the same source. To think of inexperienced men ending up a hollow sycamore log 18 feet log and 4 feet calibre, to a vertical position, building a platform near the upper end nearly 18 feet from the ground, putting a man inside, rigging a sweep 50 feet long sustained in the middle by a fulcrum, attaching to one end a half barrel to serve as a bucket with men at the other end and men on the platform; and thus undertaking to excavate and hoist the earth from the inside was gradually to sink the sycamore gum down its full length; this is to think of only the beginning of the work which the brothers undertook to do. The actual process of sinking the great gum was attended with a variety of difficulties which were new and hence unexpected and which taxed their ingenuity and tried their faith every foot of the descent. The earth was mixed with stones, quicksands, cemented gravel and more or less water all the time. When the ground became harder on one side than on the other, the gum heavily weighted near the top, careened and threatened a disastrous fall; but with ready resource, vigorously applied the catastrophe was averted, and the great cylinder after being righted and firmly braced, was gradually lowered by the removal of the sand and gravel, and the vigorous lifting of water. After reaching the depth of 10 or 12 feet, the water rushed in so rapidly that it required the utmost activity to keep it down; in fact six buckets of water had to be lifted for every bucket of earth. After a time they came to a floor of cemented sand and gravel hard as rock, which they broke through after great labor. Three feet below this they struck bed-rock.

The brothers also sank an experimental well in the middle of the bottom down to the level of the river, but finding no points of advantage here returned to the river bank, determined to drill the hole in the bed-rock at this point. The surface of the rock being sloping considerable difficulty was found in excluding the water, the lower end of the gum being square, and the water being waist deep in the gum; finally, however, they succeeded in drying the interior of the gum by a tedious process of wedging.

They had been at work for eight or ten months with eight or ten hands, and it was now mid-summer in the year 1807. They had reached the point for beginning the hole in the rock, and were encouraged by finding that the water which oozed into the gum from below was much more salty than the water which formed the Salt Spring. Still it was not sufficient either as to quality or quantity. They must go down into the rock; and they determined to drill, or as they called it, to bore a hole two and one-half inches in diameter. But the great question now to be decided was how to do it. They had nothing to guide them except their experience with hand-

drills in blasting rock; but they argued that if a drill say ten feet long could by hand be put down that distance into the rock, the work could be carried farther by lengthening the drill and attaching some sort of power. To accomplish this they added a shank to the upper end of a common rock drill with a bit of two and one-half inches, worked it by hand until it got too heavy, and then by a sweep rigged as a spring pole such as they had seen used for a hominy mill. Thus they continued to drill, lengthening their shank from time to time and adding one little device after another for expediting their work and rendering it easier.

At seventeen feet the rock suddenly became soft, and the auger descended rapidly. A small stream of water now arose in the hole, which proved to be stronger than any previously met with. This encouraged the prospectors sufficiently to make preparations for building a furnace. At twenty-eight feet they struck a larger and yet stronger stream of brine. Their furance was now going up and they resolved to drill on until the furance was ready for work. About the middle of January 1808 at a depth of forty feet, they struck a third stream of salt water better than any of the others. They now stopped to prepare the well for use.

The top of the well was reamed so as to receive the end of a short wooden pipe. A tight floor was put into the gum near the bottom with a hole in the middle immediately over the hole in the rock. A home-made tube of wood with a calibre of two and one-half inches was driven through the floor into the mouth of the well so as to fit tight and exclude all fresh water from outside whilst permitting the salt water to rise from the well into the gum.

Another important object was yet to be accomplished, namely, to exclude the upper and weaker viens of salt water in the well, and use only the lower and stronger. A tube was at once thought of, but there was no tube suitable for this service to be had. A wooden one of sufficient length might have been made if they had possessed instruments for boring it out. They, however, resorted to the plan of making two half tubes of wood and cording them tightly together.

The object then being to exclude only the water of the upper vein, the wooden tube was found to answer the purpose. After a time the tube was made of tin, at a later day of copper, and finally of iron. On using metal tubes it was found necessary to encircle both the lower and the upper ends of the tube with pads which would prevent the outer water from entering, while leaving the bore of the tube open and free.

On the 11th day of February, 1808, David and Joseph Ruffner made their first lifting of salt; and immediately reduced the price from $5.00 ab ushel to $2.00. On this achievement of the brothers Ruffner, Dr. Hale pertinently remarks: "Thus was bored and tubed, rigged and worked, the first rock-bored salt well west of the Allephanie, if not in the United States. The wonder is not that it required eighteen months or more to prepare, bore and complete this

well for use, but, rather, that it was accomplished at all under the circumstances. In these times, when such a work can be accomplished in as many days as it then required months, it is difficult to appreciate the difficulties, doubts, delays and general troubles that beset them then. Without preliminary study, previous experience or training ,without precedents in what they undertook, in a newly settled country, without steam power, machine shops, skilled mechanics, suitable tools or materials, failure, rather than success, might reasonably have been predicted."

There was little or nothing original in the style of the furnace as first constructed. It was simply a double row of kettles with a furnace at one end and a chimney at the other, such as Elisha Brooks had built on a smaller scale and such as is seen often at Maple sugar camps, in sorghum boiling and many other domestic operations. But the public benefit of all this labor is beyond calculation. It will be impossible to estimate the value of the early production of salt in Kanawha to the western country, but it was certainly very great.

In 1813 Joseph Ruffner, Jr., sold his interest in the salt property, including the land, to Capt. James Wilson, but the next year David traded land near Charleston to Capt. Wilson, and thus became the sole owner of all that had belonged to him and his brother Joseph jointly, and originally to all five brothers, the strip cut off to Tobias only excepted.

The successful operations of the Ruffners were soon imitated by their neighbors on the river both above and below. The rapid growth of salt manufacture is shown in a letter written by David Ruffner in 1815, and publisned in Niles Register. In this he states that there were then, only seven years after the first lifting of salt, no less than fifty-two furnaces in operation, and many others in course of erection; all within six and a half miles along the river beginning two and one-half miles below the first well and extending four miles above.

These furnaces severally contained 40 to 60 kettles of 36 gallons each, and altogether produced from 2,500 to 3,000 bushels of salt per day; which would amount to about 1,000,000 bushels in a year. From 70 to 100 gallons of water were required for one bushel of salt. Furnaces continued to multiply and grow in size, wells deepened, and processes improved, until the annual production reached 3,000,000 bushels of superior salt.

The first furnaces all used wood from the adjacent hills; but from the beginning Col. David Ruffner anticipated the use of coal as shown by the following sentence in his communication to Niles Register in 1815, to-wit: "Fire-wood in the course of time must become scarce or difficult to get, but stone coal may be used instead of it, and of this our stock is inexhaustible."

In two years after this time, Col. David began to use coal under

his kettles; but it was only after many and sore trials that he succeeded in adopting the fuel to the work.

I will here state a well-attested fact which I have never seen in print. After coal began to be used, the chief trouble lay in clearing the cinders out of the furnace fires. Owing to the great heat the cinders were melted into large cakes of hard slag which were extremely difficult to remove. Henry Ruffner, son of David, threw a small jet of steam under the grate bars, which being drawn into the fire had the effect of causing the cinders to form into a sort of gravel, and thus made it easy to rake the furance. This was entirely his own thought, and simple as it was, most if not all of tte salt makers adopted it and continued to use it as long as I had any knowledge of the furance methods.

For over 60 years Kanawha Valley on both sides of the river, presented a busy and most interesting scene, and directly and incidentally gave employment to a great number of men, and kept the river lively with its great transportation boats. The height of production was reached in 1850 when it exceeded 3,000,4000 bushels per annum. Much the largest single producer in the valley, possibly the largest in the world at that time, was Dr. J. P. Hale, whose great Snow Hill furnace reached the aggregate of 420,000 bushels in one year. But, alas! the irresistible force of circumstances gradually extinguished the furnace fires, until but one was left to wave its black plume of coal smoke. This belonged, and I believe it is still in operation, to John Quincey Dickinson, the grandson of one of the largest and most noted of the early salt makers.

David Ruffner foreseeing the need of a liberal supply of coal, united with his brother Tobias in 1816 in buying of Joseph Steele, of Natchez, Mississippi, two tracts of 1,200 and 300 acres of coal land on Campbell's creek, and in 1820 the same brothers bought of James Reid 450 acres also on Campbell's creek. These lands covered the famous Campbell's creek coal seams. There is a tradition that in order to save the expense of sending to Larisburg for a surveyor, Tobias, who was remarkable for his mechanical ingenuity, made a surveyor's compass, needle and all, then took a long rope and knotted it for links and poles; and the brothers used this equipment for running off the wild lands. David, the better scholar, made the calculations.

The next scheme which David initiated was the formation of a joint stock company in 1831 which laid off a town on the upper end of his Alderson tract; where might be accumulated stores, mechanic shops, residences, churches, &c., all of which would be needed for the convenience and comfort of the salt manufacturers and business men generally.

This place still lives under the name of Malden. At first considerable difficulty was found in settling upon a name fr the town, and in fact it was called sometimes *Saltboro* sometimes Terra Salis, and more generally Kanawha Salines, which last name prevailed

and became the official designation. The common people, however, for what reason I know not, rejected all these names and called the town Malden, which ultimately was settled upon as its permanent title. During the flush times of salt making this town grew rapidly and a large amount of business was done here. It was the headquarters of the salt companies, and large commercial and mechanical operations were carried on for some years; but, with the decline of the salt making interests, the town also declined until now it is a mere skeleton of its former self.

I cannot ask for more space in this number to describe Col. Ruffner's career and personal characteristics; but really his character as a man and his influence as a public-spirited citizen were, to say the least, as worthy of record as his mechanical and manufacturing operations; and to describe these I must ask space for a second article in the magazine.

ROBERT RUTHERFORD.

A short memoir of Robert Rutherford, one of the early settlers in the Valley of Virginia, prepared by Miss Mary Louise Conrade, one of his descendants. The footnotes are added by General W. P. Craighill, his great-grandson.

"It is a work of love and pride resuscitating the patriotic dead. It is a work of justice to them, and may be of advantage to the present age, by reproducing for study and imitation, the words and conduct of the wise, just, modest, and patriotic, intelligent, and disinterested men who carried their country through a momentous revolution, moulded that country into one brotherly union, and then put the government they had formed into operation in the same fraternal spirit of unity, mutual deference and concession in which they had made it." Such was the subject of this sketch.

Robert Rutherford, the son of Hugh Rutherford and Sarah de Montargis, was born in Scotland, October 20th, 1728, and educated at the Royal College at Edinburgh. (Note 1.)

Note 1.—The records differ as to the full name of the father of Robert Rutherford. By some it is claimed that his father was named Thomas Hugh, and that his mother's name was Susan, and this is believed to be correct. Thomas and Robert settled in Burks County, Pennsylvania, when they first came to America, but soon moved over into the Valley of Virginia. Tradition says that one or two of their brothers went farther South, who are probably the ancestors of the Rutherfords of North Carolina and Southern Virginia.

Thomas Rutherford (probably the brother of Robert) was the first

"High Sheriff" of Frederick County, 1743-4. Thomas and Robert were trustees of Bath and Berkeley Springs in 1786. Among the original trustees of the Academy in Charles Town, which was founded in 1795, were Thomas Rutherford, Sr., Robert Rutherford, Thomas Rutherford, Jr., and Van Rutherford.

Thomas Rutherford, brother of Robert, was buried in the garden of the present (1901) residence of Mr. S. Howell Brown, near Charles Town. Thomas had two sons: Thomas, who was the father of Mrs. Sally Briscoe of Jefferson county; and Van, who had a son Thomas and two daughters, Drusilla and Nancy.

In 1743, Thos. Rutherford, High Sheriff of Fredrick County, styled "a man of education," sold to Marquis Calmes, a justice of the county, a large tract of land upon which some of the descendants of Calmes still reside.

Capt. Thomas Rutherford was the owner in 1750 of lands on the Bullskin Run, adjoining surveys of Major Lawrence Washington.

Shepherdstown (in Jefferson County, West Virginia), was settled about 1734, being at first called Mechlenburg, but was not officially organized until 1752. Thomas Rutherford came to that vicinity about the same time.

The town of Winchester was laid out in March, 1743, but for some years was called Fredericktown. Among the names of the founders are Thos. Rutherford and Thos. Little, "gentlemen Justices."

In 1754, the year before Braddock passed through the town, there were two stores in Winchester, one of which belonged to Robert Rutherford.

In year 1762, Robert Rutherford, who had been a surveyor with George Washington, was very appropriately one of the overseers of the streets in Winchester.

The Rutherfords of Scotland are noted as far back as 1140, where mention is made of Robertus Dominus de Rutherford. Sir Robert Rutherford was a friend of Robert Bruce in 1398. Sir Walter Scott's mother was a Rutherford, and the name of Rutherford appears in several of his works. (Note a.)

Note a.—The striking likeness of Mrs. James Brown of Charles Town, West Virginia, to the portrait of Walter Scott's mother in his mansion at Abbottsford on the Tweed in Scotland, has been noticed by more than one person who has seen both. Mrs. Brown was Eleanor Rutherford, daughter of Robert Rutherford, and Walter Scott's mother was Mary Rutherford. Many of the Scotch Rutherfords are buried in the cemetery of Melrose Abbey not far from Abbotsford.

In his notes to the Bride of Lammermoore Sir Walter Scott says that Ravenwood was Lord Rutherford, the third who had held that title.

In the "Lay of Last Minstrel" are described the "Rutherfords of Hunthill," as an ancient race of Border Lairds, whose name occurs in history, sometimes as defending the frontier against the English, sometimes as disturbing the peace of their own country.

Robert Rutherford came to this country when very young, took an active part in establishing American independence, and also in the politics of the early days of the Republic. He was eccentric, but brilliant and very popular.

On September 13th, 1753, he married Mary Howe, the widow of Hon. George Augustus Howe, who was killed at Ticonderago in the wars with the Indians. He was the brother of Lord Admiral Howe of the British navy. Mary Howe was the daughter of William and Deborah Daubein or Dobbin.

Robert Rutherford was one of the delegates to the Convention held in the town of Richmond, in the Colony of Virginia, on Friday, the fist of December, 1775, and afterwards by adjournment in the city of Williamsburg.

At Williamsburg, on December 6th, 1775, this Convention resolved itself into a committee to take into their future consideration the state of the Colony.

He was one of the seven delegates chosen by this Convention to make reply to the proclamation of Lord Dunmore, declaring marshal law, to be enforced throughout the Colony, and requiring every person capable of bearing arms to resort to His Majesty's standard by him erected in the town of Norfolk, or to be considered as traitors to His Majesty's crown and government, and thereby to have incurred the penalty of the law for such offences; and granting their freedom to the slaves and servants of those he was pleased to term rebels, arming them against their masters, and destroying the peace and happiness of His Majesty's good and faithful subjects, whose property was rendered insecure, and whose lives were exposed to the dangers of a general insurrction.

On Wednesday, December 13th, the committee appointed to draw up a declaration in answer to Lord Dunmore's proclamation reported that they had prepared a reply, which severed forever our connection with England, and laid the foundation of the Revolution in the Colony of the Old Dominion, for they as guardians of the lives and liberties of the people, their constituents, conceived it to be indespensably their duty to protect them against every species of despotism.

They also promised pardons to their slaves who had taken up arms but returned to their allegiance, and requested all humane and benevolent persons of the Colony to make known this offer of mercy to those unfortunate people.

A portion of their patriotic reply was as follows:

"Truth, justice, and common sense must ever prevail when facts can be appealed to in their support.

"His Lordship is pleased to ascribe the unworthy part he has taken against this Colony to the necessity arising from the conduct of its inhabitants whom he hath considered in a rebellious state, but who know nothing of the rebellion except the name. Ever zealous in the support of tyranny, he hath broken the bonds of society and trampled justice under his feet.

"Impressed with a just and ardent zeal for the welfare and happiness of our countrymen, we trust they will, on their part, exert themselves in defence of our common cause, and that we shall all

acquit ourselves like freemen, being compelled by a disagreeable but absolute necessity of repelling force by force to maintain our just rights and privileges; and we appeal to God, who is the sovereign disposer of all events, for the justice of our cause, trusting to his unerring wisdom to direct our counsels and give success to our arms." (Note b.)

Note b.—On page 409, Vol. 1 of Wm. Wirt Henry's Life of Patrick Henry is found the following:

"A committee appointed May 15th, 1776, to prepare a declaration of rights and plan of government, consisted of

"Archibald Carey,	Meriwether Smith,
James Mercer,	Harry Lee,
Robert Carter Nicholas,	Patrick Henry,
Bartholomew Dandridge,	Edmund Randolph,
George Gilmer,	Richard Bland,
Dudley Diggess,	Paul Carrington,
Thomas Ludwell Lee,	William Cabell,
Joseph Jones,	John Blair,
Wm. Fleming,	Henry Tazewell,
Richard Carey,	Cuthbert Bullitt,
Wm. Watts,	John Bannister,
Mann Page,	Boling Starke,
David Mason,	Richard Adams,
Thos. Read,	Thomas Lewis.

"May 16th, James Madison, Robert Rutherford and Benjamin Warkins were added. George Mason appeared in his seat (in the House of Burgesses) for the first time on May 17th, and was added to the Committee on Saturday the next day."

This addition of George Mason, who is regarded as the author of the important paper which came from this Committee, is a notable case of "the last being first."

Tradition says that a sub-committee who drafted the Bill contained George Mason, James Madison, Patrick Henry, Robert Rutherford and Edmond Randolph.

Nowhere does Robert Rutherford appear to greater advantage than in his patriotic speeches during his service in Congress, putting that new government into operation of which he was one of the founders, and giving to all its machinery a smooth, clean, and harmonious working.

He was the first member from beyond the Blue Ridge elected to the United States Congress. He represented Berkeley County in the United States Congress from 1793-97. (Note c.)

Note c.—He was a member of Congress, 1793-97, having been successful against General Daniel Morgan, who in turn defeated him at the next election.

He was a devoted friend of Washington, and in defending him before Congress in 1794 he made the following remark:

"As to the character of the President himself to praise him was like holding up a rush candle to let us see the sun. I have known

that man,' said Mr. Rutherford, 'for these forty years. I have had the honor of serving under him in the last war, and of frequently executing his wise and noble orders." (Note d.)

Note d.—He was on intimate terms with George Washington, who, in writing to him addressed him familiarly as "my dear Robin." He assisted Washington as a surveyor and was living in Winchester as early as 1752 and when Braddock's troops were on their way in 1755 to Fort Du Quesne, later Fort Pitt, and now Pittsburg.

The following is an extract from a letter of November 2nd, 1756, from Governor Dinwiddie to George Washington:

"As you observe the absolute necessity of having a company of rangers, I agree to the raising of 60, 70 or 80, to be commanded by Captain Rutherford."

In a previous letter he says, "I have a good opinion of Mr. Rutherford."

In a letter from Washington to Governor Dinwiddie, he speaks of an engagement between Indians and the Rangers under Robert Rutherford.

He was a member of the House of Burgesses as early as 1758.

He owned a large and handsome estate called "Flowing Spring," near Charles Town, Jefferson County, West Virginia, situated in the picturesque valley of the Shenandoah, in view of the beautiful range of the Blue Ridge Mountains, and here the statesman-patriot lies buried by the side of his wife. He died in October, 1803. He belonged to the early generation of our statesmen, whose patriotism was confirmed by their deeds. Robert Rutherford has no descendants who bear his name, his only son having died at the early age of nineteen. His daughters, however, left numerous descendants. Their names by marriage were Peyton, Hite, Morrow, Conrad, Davis, Bedinger, and Brown. (Note e.)

Note e.—Robert Rutherford's oldest daughter Susan, married Col. John Peyton, and they had numerous descendants of the name of Grayson, Armistead, Randolph, Clarke, Conrad.

The second daughter Mary, married Col. John Morgan, and had descendants named Corbin and Worthington.

The third daughter Elizabeth, married Mr. Conrad and later Dr. Davis. She had descendants named Hammond and Humphreys.

The fourth daughtre, whose name is unknown, married Mr. Morrow, a nephew of Col. John Morrow, who married her sister Mary.

Deborah, fifth daughter, married George Hite and left descendants named Ranson, Flagg, Beckwith, Botts.

Sarah, sixth daughter, maried Daniel Bedinger and left descendants named Foster, Washington, Bryan, Ellsworth, Cornwall, Lucas, Lee.

The only son of Robert, whose name was Thomas Hugh, died at 19 years of age.

Eleanor, seventh daughter, married James Brown and left descendants named Thomas, Craighill, Brown.

Margaret, eighth daughter, died at 18 years of age, unmarried.

The following story is told of Robert Rutherford, but its authenticity is not fully established:

While he was a man of high character, of education and refined

feelings, of great kindness of heart and generous to a fault, he was very inattentive to fashion and always dressed in a very simple style. During his service as a member of Congress in Philadelphia he was invited to dine with a prominent citizen of that city. Near the appointed hour he presented himself, probably in homespun clothing, at the residence of his friend. Not giving his name at the door he was not recognized and was requested to wait for the gentleman of the houre who was soon expected. Not being invited into the house, on account of the plainness of his appearance, Mr. Rutherford, who greatly enjoyed a piece of fun, took a seat quietly on the doorstep. After a short time the lady of the house noticed him and still not knowing him, and supposing him to be tired and in need, said kindly she would give him his dinner if he would come in and cut some wood and bring some water she wanted. Mr. Rutherford readily assented and, after doing what she asked of him, took a seat in the corner of the kitchen to wait for the promised dinner.

Meanwhile the gentleman of the house was wondering at the non-appearance of the honorable member of Congress from Virginia. Upon inquiring if any one had called and asked for him, he was told that no one had done so except an old man who was then in the kitchen, waiting to see him on business. Mr. Rutherford was soon forthcoming; the hostess was of course mortified at her mistake but was soon put at ease by Mr. Rutherford who was greatly amused and not at all offended, and the dinner passed off nicely but not in the kitchen.

ADDENDUM BY WM. P. CRAIGHILL.

The following account of the origin of the name Rutherford is given by Sir Robert Douglas in 1764:

"The traditional account of the origin of this most ancient family is that a man of distinction on the borders conducted Ruther, King of Scots, safely across the river Tweed, in an expedition against the Britons at a place from that event called Rutherford." (The name still remains at that place which is not very far from Melrose.) "The King, when the expedition was over, bestowed some lands contiguous thereto, upon his faithful conductor, from which his posterity assumed the name of Rutherford as soon as sirnames became hereditary in Scotland."

This account of the origin of the name is, however, not accepted by many who bear it. Other mythical stories give other reasons for the name. One of these stories is that a fierce fight for the possession of this ford occurred centuries ago, probably in the time of the Picts and Scots, when one of the parties was nearly annihilated and the river was red with blood at this ford, and the expression was heard, "rue the ford," which had been so disastrous to so many of the combatants. We only *know* that Ruther means red and that

there is still a ford on the Tweed called Rutherford with which people of that name have been associated for many centuries.

"Certain it is that the Rutherfords have always been looked upon as amongst the most ancient and powerful families on the borders, were a race of brave and gallant men, who on many occasions signalized themselves and fought valiantly against their enemies in defence of the liberties of their country."

There There have been in the past 850 years very many ways of spelling the name. At present three remain in common use, Rutherford, Rutherfurd and Rutherfoord. The difference between these three spellings is due to the difference in pronouncing the word *ford* by the English and Scotch, in which the latter give the *o* the sound of *u* or *oo*.

The antiquity of the name is beyond question. The present writer lately saw the grave-stone of a Robert Rutherford in the yard of Melrose Abbey who was born in 1061, before the settlement of Jamestown or the landing on Plymouth Rock.

Mr. Thos. Hood writes as follows: "So far back as 1140, in the reign of King David I, *Robertus Dominus* de Rodyeforde appears on the scene of Scotch history; and the fact that he was a witness to a royal charter may be held as indicative that the family had already attained a good position near the banks of the Tweed. In 1215, the first year of King Alexander II, Hugo de Rodirforde was witness to a charter; and in 1261, when Alexander II was King, Sir Nichol de Rothurforde had a charter of the lands of Capehope, another indication that the family had now attained an influential position in the country.

"In 1296 Sir Nicholas was one of the first Scotch barons who joined Sir Wm. Wallace when fighting for the independence of his country. His wife, Marjorie, was a near relation of the wife of Wallace, and he was also a relation of Wallace himself."

Another Robert Rutherford "was a notable patriot and a great supporter of King Robert Bruce."

The later history of the Rutherfords and their elaborate pedigree in the possession of the present writer give the names of many of that blood who were distinguished in war both at home and abroad, in literature and in civil, social and official life. Among these was pre-eminent Sir Walter Scott, whose mother was Anne Rutherford.

Nesbet, the first to give an impetus to the geunine study of the science of Heraldry in Great Britain (about 1700), in his volume 1, plate 8, figure 12, gives the Rutherford shield, which the present writer lately saw displayed at the home of Sir Walter Scott, Abbottsford on the Tweed. Nesbit blazons the Rutherford shield, as follows:

"Rutherford's, argent (silver or white); An Arle (inside border), Gules (red); and in chief three Martlets sable (black)."

He continues: "An ancient and potent family in Teviotdale, on the borders of England. The Orle is the principal armorial figure

of the family, which may be thought to have been assumed by them on account of their having defended the borders of the kingdom against the English: and the three Marlets, to show that some of the heads of the family had been in the warlike expeditions to the Holy Land. Heredically, the Martlet (supposed to be the swallow or Swift) was footless; hence it is always represented with its legs as stumps or as wanting. Sometimes it is also headless."

Nesbet remarks (Vol. 5, page 350) "Heralds say that the want of beak and feet denotes the wounds and strokes which the maimed and lamed received who went to the Holy Land to fight against the Saracens."

Different branches of the Rutherford family use different mottoes and decorations with the coat of arms. One of the former was "Per mare, per Terram," another was "Nec sorte nec fato." The meaning of the first is obvious. The second may be held to proclaim that the Rutherfords were accustomed to *work* for whatever prominence they attained and were not indebted to either chance or fate. The original coat of arms has been very much added to, "decorated," as it is technically called, by later generations.

AN ANCIENT STONE PIPE FROM JACKSON COUNTY, WEST VIRGINIA.

(In part from *The Archaeologist*, 1893.)

The writer has in his collection of relics (now placed permanently in the Museum of the West Virginia Historical and Antiquarian Society, Charleston), an ancient pipe resembling a certain type found by Squirer and Davis in their explorations of mounds in the Ohio and Mississippi Valleys.

This pipe, of which a full-sized cut is here shown, is made of fine grit stone, moderately hard, of a bluish cast, and was found in a ploughed field near Willow Grove, Jackson County, West Virginia.

The perforations bear the usual characteristics of ancient pipes, viz: a wide opening with a gradual narrowing as they approach a point of juncture: that is, funnel shaped.

The pipe weighs one and three-quarter ounces, and will hold about as much as a ladies' good sized thimble.

But its most interesting feature is the human face and head projecting from the front of the bowl.

The eyes are simple dot-like depressions.

The nose is not prominent, apparently having to a certain extent worn away, the natural sequent of long exposure to the elements, or constant use and handling by its original owner.

The mouth is represented by two distinct groove-like depressions, with a small yet well defined chin.

Two lines or grooves are drawn horizontally across the entire breadth of the rather low forehead.

Starting at an angle with the lower of these horizontal lines are two of like form which extent down either side of, and expand along the base of the nose to the upper lip.

Radiating from a point at, and below either eye, and extending downward and outward in a fan like expansion over each cheek, are four other lines or grooves, which, says Prof. W. H. Holmes of the Bureau of Ethnology, Washington, (now of the Columbian Field Museum, Chicago,) who examined this pipe, are "tear lines, a common thing in aboriginal shell work." (See his "Art in Shell.")

These lines certainly give to the face a sad and melancholy expression of countenance.

Sculptured pipes are found not only on the surface of the ground and ploughed fields, but in stone graves, and in the depths of the stupendous and musterious mounds, and gloom of the sepulcheral mountain caves. In point of Archæological interest they are not surpassed by any other form of relic left us by the unfortunate aborigines of America.

The caricature of the human visage portrayed in primitive sculpture, whether of individual characteristics or of tribal or racial types, will continue to be an object of more than special interest to the anthropologists.

The pipe is purely an American product, and no where else in the world have they been found in pre-Columbian times.

It was the Red Man's solace in all avocations, in peace, in war, and in the chase, and entered into and played an important part in all transactions, whether of a social, religious, tribal or national import.

A direct gift from the Great Spirit, who instructed his dusky children in its majestic virtues, the "Calumet," or "Peace Pipe," was ever regarded as an invocation. In his treaties of peace with

"Poor Lo," the sacred import of the "Big Smoke" has never been apparent to the uncermonious and matter of fact Caucasion.

The fragrant smoke "blown to the four quarters of heaven redolent with petition," and sincere intentions on the one hand, have ever been mocked and blasphemed by the vapory promises and never-to-be-kept pledges on the other hand.

With his primitive philosophy and his high regard for the sacred, is the pipe of the Red Man permanently fixed, and though its medium can to a certain degree be traced his supreme and just contempt for the "higher civilization" and "religion" of the white man.

THE TABLES TURNED.

A True Incident of the Civil War.

In the month of January, 1864, a small army of Confederates was encamped near Kates Mountain in Greenbrier County, West Virginia. The winter was a severe one, and the snow covered the ground to a depth of about a foot. Active operations being suspended a party of soldiers whose homes were in the Kanawha Valley obtained a furlough with the design of visiting their relatives and friends from whom they had long been absent. This party was composed of Sergeant Henry W. Rand, and privates Sam Young, Andrew V. Donnally, Andrew M. Donnally, James Van Bibber and John Duling, all belonging to the 22nd Virginia Regiment.

It was a long and difficult journey which lay before them. There were high and rugged mountains to climb, deep and rocky gorges to journey through, cold and hunger to be endured, and the danger of capture and death to be confronted. But they were dauntless men, and inured by soldiers' experience to all of the difficulties which were before them.

After three or four days' toilsome marching they reached a mountain cabin near the head of Big Sycamore Creek, in Clay County. Hungry and fatigued they sought food and rest for the night under its roof.

Hospitality was accorded them and soon such a meal as the scanty means of their host afforded was set before them. The two Donnallys having finished their supper before the others, with a view of discovering if all was safe, made a reconnoisance of the outside surroundings and quickly discovered that a force of the enemy was

quietly surrounding the house. They returned immediately to their companions with the unwelcome information and at once it was agreed that they should claim to be deserters from the Confederate Army on their way into the Federal lines at the mouth of Gauley. So when the leader of the Guerillas with some of his men appeared in the doorway with the demand to surrender, no fear was manifested, but instead, an expression of pleasure from the Johnnies greeted him. He was welcomed as a friend in need. Their story was soon told, and the play so well maintained that the enemy was more than half convinced that they were indeed deserters. They yielded their arms at the suggestion of the chief of their captors, that as they were deserters they would not have any further use for them. Rand, however, retained concealed upon his person a revolver which afterward played a part in this episode.

The next morning accompanied by a guard of six men they started for the enemies lines. The guard wanted to take them down to Charleston, but they insisted that as one or two of them were acquainted with the colonel commanding the Federal post at or near the mouth of the Gauley, they would prefer to be taken before him. They had good reasons for wishing to avoid Charleston, as they were all known there. The good-natured guard willing to oblige "repenting rebels," yielded to their preference and started for the Gauley post. After marching all day they came at last close to and within sight of the fires of the Federal pickets, near the mouth of Bell Creek. The guards were for taking them at once into camp, but Van Donnally objected on the ground that the pickets would detain them over night, and they would have to sit around the fire in the cold all night and get no rest. As there was a house belonging to one McGraw, whom Donnally knew, near at hand, he proposed that they seek shelter there for the night. This reasonable proposition was assented to and they repaired to the house. As they went in Rand turned the key of the door, to keep out intruders as he said, and quietly pocketed the key.

The disposition of affairs after entering the room was about as follows: To the right was the fire place in which a fire was burning; to the left in the corner farthest from the door was a bed upon which the guard deposited their guns and accoutrements. Seated nearest the door were the prisoners, Andrew Van Donnally nearest the fire and Rand next to him. Opposite them the guard were seated, and directly opposite Van Donnally was the man in charge of the guard. He was a large man and wore at his side a navy revolver, and was the only man on his side so armed. It became necessary that he should be put out of the fight at once. Rand in a low tone told Van Donnally, when the signal was given, to spring for him and as he rose from his seat to strike him and knock him down, and then jump upon him and disarm him. Very shortly afterwards the signal was given, Donnally sprang toward his man and struck him with all his might as he rose from his seat, flooring him. Be-

fore he could rise Donnally was upon him and the struggle for the revolver commenced. Donnally reached for it and his opponent foiled his efforts to obtain it. Finally Van Bibber came to Donnally's help with a captured gun, and presented it at the prostrate but struggling guard, pulled the trigger. The only report was the snapping of the cap, whereupon Donnally told him to use the butt of the gun, which Van Bibber proceeding to do, the enemy threw up his hands and surrendered and Donnally got the much prized revolver.

While this struggle was in progress events had declared themselves in favor of the Whilom captives. They were first at the guns and the guards finding themselves disarmed broke for the door with the design of alarming the pickets near by, but Rand's foresight had availed to prevent that very thing being done.

In the meantime one of the guards had floored Duling and was endeavoring to throttle him, while Sam Young was wielding the blade of his pocket knife with considerable damage to Duling's adversary who refused to abate his efforts until Rand shot him through the shoulder with the pistol he carried upon his person. This was the only shot fired in the struggle, and it brought Mrs. McGraw from an adjoining room upon the scene who begged them to "shoot easy" or the pickets would come in upon them. She then began to scream with all the force of her lungs until reminded that unless she became quiet the pickets would come and there would be more shooting.

Immediately after the reversal of the *status quo*, the Confederates started with their prisoners back towards their camp, which they reached after a hard journey of four or five days. Once they narrowly escaped a disaster. The weather was freezing cold, and one night they were at a loss for shelter, and were also bewildered as to their way. Fortunately they met a mountaineer who knew one or two of them and was in sympathy with their cause. He told them that if they pursued the course they were on they would have to camp in the mountains and probably freeze to death, and he offered to take them to a friendly house where they could be sheltered. Just before this fortunate intervention the party had been seen by some Confederate bushwhackers armed with the long rifles of the mountaineers, and as the prisoners all wore federal uniforms and several of the Confederates had on Federal overcoats, the mountaineers took them to be a party of Federal scouts, and went ahead to a place favorable for bushwhacking them. They would have accomplished their purpose but for the fortunate meeting referred to. This fact they were informed of by the owner of the house where they took refuge, who afterwards went out and called in the bushwhackers. The next day the party reached Lewisburg.

They left the scene of their struggle with the belief that the man shot by Rand was mortally wounded, but in 1871 the writer learned

from a brother of the victim that though seriously wounded, he had recovered.

One singular circumstance connected with the affair was that none of the rifles of the guards were loaded. The guns were capped, and the cartridge boxes were full, but the guns were empty. Had it been otherwise this narrative would have had more tragic features. Of the Confederates who participated in this drama four are living. Rand and Duling are dead.

JOSEPH RUFFNER.

THE WHIPPING POST OF KANAWHA COUNTY.

BY TOM. SWINBURN.

Strolling into the rooms of the West Virginia Historical Society one day, I had a pleasant chat with its venerable president, in which he called my attention to the stump of the old whipping post there preserved. This recalled what I had heard of the last man whipped at the post. He requested me to write a sketch about it for the Magazine.

Not satisfied to depend on my own recollections, which were but second-hand at best, nor even on the memories of those yet remaining who were cognizant of the events related, I searched the county records at such odd intervals as I could spare from other duties, chiefly at the noon hour.

I wished to present a complete and accurate history of the post, and some account of each whipping. But, though the number of punishments was not great, I found the limited time at my disposal utterly inadequate to the task. I got such assistance from old citizens in regard to persons who had been whipped as their memories could furnish. Then I went to the records of the county, but found the older ones without indexes, which of course made the task the harder.

As to the incidents of the last legal whipping at the Kanawha post, I had the assistance of Mr. A. P. Fry, Col. John Clarkson, Hon. Jacob Goshorn, and others.

The Kanawha whipping post is supposed to have been set up about the time when the brick court-house was built. This was in the year 1817. But I doubt if the piece now in the Society's room could have lasted so long. It was more than a mere post. It was

probably 18 feet high. It was divided into two stories by a platform. On this platform, reached by steps or ladder, stood the culprits condemned to the pillory. There was room for two. This pillory was made by passing two stout planks through a slot in the post, on edge, one above the other. Holes were made in the planks to receive the necks and wrists of the criminals, one on either side of the post. The slot in the post was of sufficient length to let the upper plank be raised to admit the heads and hands of the victims, then it was let down and secured by a wedge-shaped key which locked them fast and utterly helpless against the peltings of mischevious men and boys.

The whipping was done under this platform. The condemned one stood on the ground, his arms round the post, his wrists strapped to staples in the post. The number of lashes varied with the enormity of the offense, and the temper of the judges. The severity of the infliction was with the officer who administered it. In one instance I found in the record, the sheriff was directed to see the number of lashes on the culprit's bare back "well laid on." And I am told that one application affected a cure, so that a man was hardly ever, or never known to incur the punishment a second time. This leads many persons to regret the abolition of the post, an dadvocate its return. The following article from The Literary Digest of last December 15 voices the public sentiment for and against. The article is entitled:

"The Whipping Post in Delaware.

"The survival of the whipping post in the State of Delaware, and the recent flogging of a fourteen-year-old boy for petty theft, has aroused some discussion in the press as to the efficacy of this method of punishing crime. In the opinion of the New York *Journal*, the practice is a 'relic of barbarism' and belongs to the days of the 'thumb-screw and rack'. 'Only Delaware,' it says, 'has continued to enforce this degrading law, in defiance of progress and the sentiment of other States of the American sisterhood,' and it calls upon this State to put an end to the 'hideous anachroniom' before the dawn of the new century. On the other hand, the Washington *Post* expresses the belief that in cases of hardened crime, such as incorrigible viciousness, wife beating, etc., the effect of the 'cat-o-nine-tails' is most salutory. It continues:

"Every rational observer in this direction knows that for such monsters there is no deterrent save plain and simple physical suffering. The so-called humane and civilized methods have been tried and found wanting. The brute goes to jail, fares sumptuously every day, while his wretched family suffer cold and hunger, and in almost every instance returns with unabated energy to the practice of his favorite cruelty. For such beasts as these the whipping post is the only adequate prescription. They are open to no argument less elo-

quent than the lash. They fear this as they fear nothing else. And if the custom were adopted and rigidly enforced in every city, town, and neighborhood throughout the land, the ends of Christian mercy would be better served."

Harper's Weekly (New York), looks at the matter in the same light, declaring that "a good whipping administered in private would probably be more effective as a preventative than a period of comfortable sequestration upon the banks of the Hudson River or in any other of the first-class criminal hostelries of the country."

Now it seems to me that if punishment is intended to deter crime, that form which does deter would be the proper one to adopt. True, the whipping post is a relic of barbarism. But is not every kind of physical punishment barbarous? Have we not derived the practice of inflicting physical pain upon offenders from our barbarian ancestors? What is more clearly barbarous than dangling a man or woman by the neck at the end of a rope till strangled to death? Why do we not abolish all relics of barbarism in modes of punishment, such as the ball and chain, the water-hose, etc.? Because, like out barbarian forefathers we believe the fear of pain the best deterrent. On this principle the best deterrnt is that which criminals most fear, and I believe the fear of whipping is more effectual than any other.

But I am in favor of removing all barbarous punishments. Yet, it were better to remove the need of punishment than the instrument. The instrument will inflict no pain if not used. The instrument will not be used if there be no need. There will be no need if the cause be removed. And is not the law-breaker the cause? Partly, but more than he the law-maker. I shall hardly be understood here. But under the term law I mean not only statutory law, but that wider and stronger law, public opinion and social custom.

Not to be tedious, I hold that our civilization fosters millionaires and paupers, philanthropists and criminals. The paupers and criminals far outnumbering the former. The pauper may be to blame. Civilization always is. The criminal is probably to blame. Civilization certainly is. But to my story.

Sometime in the thirties Col. Andrew Donnally visited the city of Philadelphia, and there found a young Irishman named Arthur Mowbry, who, as was customary in that day, had secured his passage to this broad land of freedom and plenty under a contract to hire himself out to some one who should pay the amount of his passage, and be repaid by the services of the immigrant. Being a young man of parts, Col. Donnally, who was himself an Irishman, took a fancy to him, paid his passage, and brought him to anawha. Here he became a general favorite, lived in the family of Col. Donnally, and was treated as a member of it. He served as clerk in the store of his employer, and had a fair prospect of success in life. But he seems to have become vain, fond of the company of other young men, and of dressing beyond his means.

He took to drinking too much, and lost favor with his patron, and eventually forged an order on Lewis Ruffner & Co., which eventually landed him in the penitentiary. But he did not remain there long for his counsel, Jacob Goshorn, took an appeal in his case and reversed the Circuit Superior Court, and brought his client back to Kanawha. The whipping was not for this forgery, but seems, some of my informants thought, to have grown out of it in this way:

Mowbray, (his name is spelled in various ways) and some boon companions had a sort of club room where they spent their leisure time. In the free and easy life they led they thought nothing of wearing each other's clothes. Now it appears by the county records that the first indictment against Mobray was quashed on some technical defect. Perhaps thinking that would be the end of it, and not willing to let him off so easily, my informants are of opinion that a charge of stealing the coat of one Samuel Hickock, one of the boon companions, was trumped up against him, and for this he was whipped. Unfortunately for this theory the indictment for stealing was examined a month before the examination for forgery. The charge of stealing, however, may have been held back to see the result of the charge of forgery, and when that was quashed this was pressed. At any rate he was whipped for stealing the coat. I have not been able to ascertain who did the whipping. Col. Clarkson thinks it was Wm. Hatcher, deputy sheriff, who was severe. Mr. Goshorn thinks it was John Slack, and thinks he did it early in the morning when there were no spectators, and that it was very lightly given.

ARTHUR MORBRAY.

Co. Ct. Rec. 1837 to 1842, page 438.

"At a court held for Kanawha county at the Court House thereof on Thursday the 14th day of January, 1841, for the examination of Arthur Mobray, charged with feloniously stealing, taking and carrying away (on the 22nd day of August, 1840) one blue cloth coat of the value of four dollars then and there being the property of one Samuel Hickock.

Present Lewis Ruffner, William Gillison, Joel Shrewsbury, Jr., Nathan Hatch and Spicer Patrick, Gent. Justices of said county.

This day came as well the Attorney for the Commonwealth as the said Deft. by his Attorneys. And the said defendant being led to the bar in custody of the keeper of the common jail, and the evidence, being fully heard it is the opinion of the Court that he is guilty of the offence aforesaid and that he stand his trial therefor before the Justices of the County Court for said county at a quarterly term of said Court. And the prisoner is remanded to jail."

(Then follows the recognizance of Samuel Hickock a witness for the Commonwealth. The record ending thus:)

"To Thomas W. Gilmer, Esq., Governor of this Commonwealth in a sum of one hundred dollars, &c."

"Ordered that this Court be dissolved.

LEWIS RUFFNER.

Same Book, page 443, February 8, 1841.

("Arthur *Mowbray* who stands committed to the common jail of this county on a charge of having feloniously and falsely made, forged and counterfeited a certain order in writing, was this day led to the bar in the custody of the keeper of the jail of this county and thereupon for reasons appearing to the court his examination is deferred until March term next. Fraser Hansford, a witness for the Commonwealth against Arthur H. Mowbray asknowledges himself to owe, &c. (After the recognizance of Harford comes a Summons on Rules against Van B. Donnally for failing to appear as a witness.)

Same book, pages 452 and 453, March 9, 1842.

"Arthur H. *Mowbray* who is confined in the common jail of this county charged with having feloniously and falsely made, forged and counterfeited a certain order in writing, which said false forged and counterfeited order in writing is in the words and figures following that is to say.

"Kan. Salines, Dec'r 22nd, 1840.

Messrs. Lewis Ruffner & Co., please let the bearer have twelve dollars in the store and charge A. Donnally, by V. B. D."

With intention to defraud Lewis Ruffner and Saunders Eastham partners trading under the firm of Lewis Ruffner & Co., was this day led to the bar in custody of the keeper of the jail of this county, and thereupon by his attorneys moved the Court to quash the proceedings had in this cause on the ground that there was no warrant of commitment issued against him, and it appearing to the satisfaction of the Court that no warrant of commitment did issue. It is therefore ordered that the said proceedings be quashed.

(Same day.) (March 9, 1841.) (Then follows.)

Arthur Mobry late of the county of Kanawha who stands indicted of Petit Larceny, was this day led to the bar in custody of the keeper of the common jail of this county and being thereof arraigned pleaded not guilty to the indictment. Whereupon came a jury to-wit: Charles Morris, Brayton Allen, Albert D. Sprague,

William Gray, William Rand, Daniel Smith, Isaac L. Eustace, John W. Starke, James Gillaspie, James Norman, John Bowyer and Robert Malcolm who being elected tried and sworn the truth of and upon the premises to speak and having heard the evidence, and arguments of counsel upon their oath do say that they find the prisoner guilty in manner and form as in the indictment against him is alleged, and they further find that the goods stolen are not forthcoming so as to be restored to the owner thereof, and thereupon it being demanded of him if any *thing* he had or knew to say why the Court should not now proceed to pronounce judg-knew to say why the Court should now proceed to pronounce judgment against him according to law, and nothing being offered or alleged in delay of judgment. It is considered by the Court that the said Arthur Mobry be imprisoned for the term of thirty days in the jail of this County wherein he is to be kept on low and coarse diet as prescribed by law; and that on Friday, the 12th day of March, the present month, he receive ten lashes on his bare back which the Sheir of this county is directed to cause to be inflicted on him—and thereupon the said Arthur Mowbry is remanded to jail."

Same Book, page 470.

Arthr H. *Mobray* is led to the bar on charge of forgery (same as before) and committed to stand his trial before the judge of the Circuit Superior Court of law and chancery for this county. Then follows the evidence as follows:

"James F. Hansford, a witness of the Commonwealth vs. the Defendant deposeth and saith that sometime in December last the prisoner brought the order for twelve dollars, mentioned in the warrant in this cause to the store of Lewis Ruffner & Co. that he the Deponent paid him $10.50 on it and gave him a due bill for the ballance, which due bill was brought to him at the store next day and paid by him."

Van. B. Donnally another witness for Commonwealth vs. Prisoner, deposeth and saith that he did not draw the order referred to in the warrant in this cause, and that at the date of the order his father, Andrew Donnally, was in the city of Richmond. This Deponant thinks the hand writing of the order to be that of the prisoner."

(Donnally & Hansford are then recognized to appear before the Judge of the Circuit Superior Court of Law and Chancery for Kanawha County. Donnally in the penalty of $500. Hansford in that of $100.

I did not follow the case up to the Superior Circuit Court but this is what happened. Mowbry was convicted of forgery, and sentenced to the penitentiary at Richmond.

Jacob Goshorn, who had been admitted to practice the law October 12, 1840, was Mowbray's attorney. The facts were against him, but he thought he saw an error in the proceedings sufficiently grave to warrant an appeal, and ambitious to make his mark he took it. Yet, with the modesty and diffidence of youth, he did not venture to prevent the removal of his client to Richmond. But he made his mark, he won his appeal and brought his client back to Charleston.

I have not had time to verify my surmise that the defect discovered by Mr. Goshorn proved fatal to the indictment, but there was no further conviction and upon being set at liberty somebody gave him some money and he crossed the river and was never seen in Charleston again. Some time afterwards a citizen of Charleston saw a man sitting on the river bank toward or on New river, and without letting himself be known, he recognized the man as Arthur Mobry. And this is the last word I have heard of the last man whipped at the Old Kanawha Whipping Post.

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